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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7623/2024**

ANOOP WAHI

..... Petitioner

Through: Mr. Adirath Singh, Mr. Viren Bansal,
Mr. Manan Mitra, Advs.

versus

THE EXCISE COMMISSIONER & ANR.

..... Respondents

Through: Mr. Prashant Nanchanda, ASC with
Mr. Paruni Sharma, Ms. Nancy Shah,
Advs. with ASI Ashok Kumar, Spl.
Staff

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

27.05.2024

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1. The Petitioner has approached this Court with the following prayers:

“a. allow the captioned Petition and issue a writ in the nature of mandamus directing the Excise Commission to expeditiously dispose of the Petitioner’s application bearing Con. No. 36847/2023/893-894 filed on 03.11.2023 by the Petitioner seeking release of his vehicle bearing no. DL 3 CCQ6877 – Maruti Ertiga, white colour;

IN THE ALTERNATIVE

b. direct the concerned officer of P.S. CR Park to file its status report / reply before the Excise Commission in terms of the notice dated 02.02.2024; and,

c. any such further order(s) as this Hon’ble Court may



deem fit in the interest of justice.”

2. Material on record discloses that notices were issued by the Office of the Commissioner, Excise, Entertainment Tax & Luxury Tax Department on 02.02.2024, directing the Petitioner to appear before the Assistant Commissioner of Police (Excise) on 05.04.2024. It is stated that the Petitioner went on 05.04.2024 but no hearing took place. He states that no date has been fixed in the matter.
3. Learned Counsel for the Office of the Commissioner, Excise, Entertainment Tax & Luxury Tax Department states that a date of hearing would be given to the Petitioner within four weeks and the notice given to the Petitioner under Section 59 of the Delhi Excise Act, 2009 would be taken to its logical end.
4. Statement of the learned Counsel for the Office of the Commissioner, Excise, Entertainment Tax & Luxury Tax Department is taken on record.
5. The Writ Petition is disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

MAY 27, 2024

Rahul