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

+ W.P.(C) 15822/2024 CM APPL. 66427/2024(**Exemption**) CM APPL.
66428/2024

PROFESSIONAL IMPEX PVT LTD

.....Petitioner

Through: Mr. Aaroehi Bhalla, Alok Agarwal,
Sharad Srivastava, Mr. Prachit
Mahajan, Mohit Kalra and Ms.
Saumya Srivastava, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Piyush Gupta, CGSC, with Mr.
Prateek Gupta and Mr. Amit Sharma,
Advs. for R-1.
Ms. Sonu Bhatnagar, SSXC with Ms.
Apurva Singh and Ms. K.S. Mary
Jonet, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

14.11.2024

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1. The petitioner has filed the present petition impugning an order in original dated 08.10.2024 whereby the petitioner's Customs Broking Licences (hereafter *Licences*) issued under the Customs Broking Licence Regulations, 2018 have been directed to be revoked.
2. Concededly, the petitioner has an equally efficacious remedy of an appeal before the learned Customs Excise Service Tax Appellate Tribunal (hereafter *CESTAT*). However, the learned counsel appearing for the petitioner submits that this is a gross case of inordinate delay and, therefore,



the impugned order is required to be quashed on that ground alone. He also relies on the decision of the Supreme Court in *State of Punjab & Ors. v. Bhatinda District Cooperative Milk Producers Union Ltd.:* (2007) 11 SCC 363 and submits that in cases where the statute does not provide any period of limitation, the acts are required to be done in a reasonable time. He submits that in the present case, the adjudication has been delayed for more than nine years and that time cannot be considered as reasonable. He also states that the petitioner would require urgent interim relief as revocation of Licence would effectively preclude him from earning his livelihood.

3. The learned counsel for the Revenue, who appears on advance notice, states that these contentions would be available to the petitioner before the learned CESTAT.

4. In view of the above, we dispose of the writ petition, leaving it open for the petitioner to avail his statutory remedies. However, in the event the petitioner files an appeal and satisfies the procedural requirements including pre-deposit, we request the learned CESTAT to hear the said appeal expeditiously including for urgent interim relief.

5. Pending applications, if any, also stand disposed of.

VIBHU BAKHRU, J

SWARANA KANTA SHARMA, J

NOVEMBER 14, 2024

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Click here to check corrigendum, if any