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

+ **W.P.(C) 6207/2016**

HARVINDER SINGH GHAI

.....Petitioner

Through: Ms. Ritu Puri and Mr. Ameet Singh,
Advocates

versus

**THE ADDITIONAL COMMISSIONER OF
CUSTOMS (AIRPORT)**

.....Respondent

Through: Mr. Harpreet Singh, Ms. Suhani
Mathur, Ms. Sonakshui Monga,
Mr. Tanishq Mehta, Ms. Gursheen
Kaur, Ms. Chhaya Khosla,
Ms. Sonjom Chaba and Mr. Jatin
Kumar Gaur, Advocates

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

09.07.2024

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1. Mr. Harpreet Singh, Senior Standing Counsel for the respondent for the first time in Court stated that an appropriate remedy to impugn the order dated 19.04.2016 bearing no. 09-ADJ/2016 in pursuance of the show-cause notice dated 09.04.2015 is to file an appeal as per section 128 of the Customs Act, 1962 before the Commissioner (Appeals) in accordance with law and the present writ petition is not maintainable. It is further stated that the confiscated gold has already been disposed of vide proceedings dated 09.07.2018 in pursuance of order dated 19.04.2016.
2. The counsel for the petitioner seeks permission to withdraw the present petition with the liberty to initiate appropriate remedies as per



section 128 of the Customs Act, 1962 to challenge the show-cause notice dated 09.04.2015 and the order dated 19.04.2016.

3. Liberty as prayed for is granted.
4. The present petition along with pending applications if any, stands dismissed as withdrawn.

DR. SUDHIR KUMAR JAIN, J

JULY 9, 2024

Sk/abk