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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8090/2025**

ALOK MEHRA

.....Petitioner

Through: Mr. Jatin Singhal and Mr. Jatin
Kumar Gaur, Advocates.

versus

COMMISSIONER OF CUSTOMS & ORS.

.....Respondents

Through: Mr. Arjun Malik, SSC CBIC.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **30.05.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 35382/2025 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

W.P.(C) 8090/2025

3. The present petition has been filed under Articles 226 and 227 of the Constitution of India seeking appropriate directions to the Customs Department to supply a copy of the Order-in-Original dated 26th May, 2020 passed by the Id. Additional Commissioner of Customs, Export, Air Cargo Complex, New Delhi.

4. It is the case of the Petitioner that the show cause notice was issued on 4th June, 2018, as to why penalty ought not to be imposed on the Petitioner in respect of fraudulent use of duty Scrips/ Licenses/ Authorisations. The Petitioner was granted personal hearing and on one occasion the Consultant of the Petitioner appeared for personal hearing i.e., on 26th June, 2019. However, thereafter, during COVID etc., the Petitioner followed up last on 12th June, 2020 seeking a fresh personal hearing. Almost five years later, in



January of 2025, Petitioner has learnt that an order has been passed, however, it is claimed that the Petitioner does not have a copy of the said order.

5. Ld. Counsel appearing for the Respondents objects on the ground that the petition is barred by laches and there is no averment in the petition as to how the Petitioner acquired knowledge of the passing of the Order-in-Original.

6. Be that as it may, since only a copy of the Order-in-Original is sought, let the same be issued within two weeks on the following email address and mobile number :

Email address : jitin.singhal01@gmail.com

Mobile No. : 9999919168

7. It is made clear that the issuance of this copy would not create any equities in favour of the Petitioner.

8. Any issue of limitation in respect of a challenge to the said Order-in-Original shall be adjudicated by the Appellate Authority on its own merits, if any appeal is filed, and this Court has not made any observation thereof.

9. The petition is disposed of in above terms. Pending application(s), if any, also stand disposed of.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

MAY 30, 2025/nd/msh