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

+ **W.P.(C) 1700/2018**

NANDA GUN HOUSE THROUGH ITS PARTNER Petitioner

Through: Ms. Vidushi Shubham, Advocate.
versus

COMMISSIONER OF CUSTOMS (IMPORT) & ANR

..... Respondents

Through: Mr. Harpreet Singh, Sr. Standing
Counsel for Customs.
Mr. Sarul Jain, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
15.05.2018

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Counsel for the petitioner states that by mistake the first respondent has been titled as Commissioner of Customs Import (Tughlakabad) instead of Commissioner of Customs, New Customs House, New Delhi. The statement is taken on record. The petitioner will, however, file amended memo of parties within seven days.

Counsel for the respondent no.1 states that the said respondent has accepted the order passed by the Customs, Excise and Service Tax Appellate Tribunal. He, however, submits that the consignment cannot be cleared as certain queries/issues have been raised, which are to be answered by the importer in the ICES 1.5. Counsel for the petitioner states that she would



like to obtain instructions.

Counsel for the respondent no.1 further states that respondent no.1 had written a letter to the Manager, CELEBI dated 18th April, 2018 for waiver of demurrage charges. Counsel for the second respondent, however, states that he has received instructions that demurrage charges cannot be waived. In view of the said statement, it is directed that the second and the first respondent may file an affidavit within four weeks. Rejoinder, if any, within four weeks thereafter. Liberty is granted to the petitioner to file an appropriate application, if required and necessary.

Re-list on 8th August, 2018.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

MAY 15, 2018
MR