



\$~5

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CUSAA 232/2019 & CM APPL. 54926/2019
COMMISSIONER OF CUSTOMS Appellant
Through: Mr. Harpreet Singh, SSC
with Mr. Jaitin Kumar
Gaur, Adv.

versus

SH. GIRISH KUMAR MISHRA Respondent
Through:

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

20.01.2023

1. The learned counsel appearing for the appellant states that notice could not be issued for want of payment of process fee. It is seen that the present appeal has been pending since 23.12.2019. There is also a delay of 89 days in filing the appeal, which has not been condoned as yet. Notice in the application, seeking condonation of delay, remains unserved.
2. A final opportunity is granted to the appellant to take steps for service of notice. On the steps being taken, notice shall go by speed post and electronic modes. *Dasti* in addition. An affidavit of service be filed at least one week before the next date of hearing.
3. It is clarified that if the appellant fails to take the necessary steps, the appeal would be summarily dismissed on the next date of hearing.
4. List on 14.03.2023.

VIBHU BAKHRU, J

AMIT MAHAJAN, J

JANUARY 20, 2023

Ch