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

+ CUSAA 4/2026, CM APPL. 5341/2026 & CM APPL. 5343/2026

**COMMISSIONER OF CUSTOMS- AIRPORT AND
GENERAL**

.....Appellant

Through: Mr. Abhinav Kalia, Mr. Ajit Kumar
Kalia, SSC, Mr. Devesh Khara,
Mr. Devesh Dubey, Mr. Bismit
Nayak, Mr. Lakshya Bhatia and
Mr. Devendra Kumar Singh, Advs.

versus

EVERSHINE SHIPPING CUSTOMS- C AND FRespondent

Through: Mr. Shekhar Vyas and Ms. Neha
Warrier, Advs.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

29.04.2026

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1. Since the issue as regards the maintainability of the appeal under Section 129D of the Customs Act, 1962 in the matter of the orders passed under Customs Brokers Licensing Regulations, 2018 (CBLR) is informed to have been *sub judice* before the Apex Court and it is the case of the appellant that the appeal can be said to be maintainable in view of the regulatory mandate under Section 129D as per Section 129A, the appeal of the appellant ought not to have been dismissed.
2. Issue notice.
3. Mr. Shekhar Vyas, learned counsel for the respondent, waives notice.



4. Rule DB.
5. Liberty to mention once the issue is decided by the Apex Court.

NITIN WASUDEO SAMBRE, J

AJAY DIGPAUL, J

APRIL 29, 2026/AS/av