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

+ W.P.(C) 9898/2017

PRIYANKA INDIA PRIVATE LIMITED & ORS. Petitioners

Through Mr. Alok Yadav, Advocate.

versus

UNION OF INDIA & ORS. Respondents

Through Mr. Gigi C. George, CGSPC for R-1.

Mr. Sanjeev Narula, SSC for Customs and

Mr. Abhishek Ghai, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MS. JUSTICE PRATHIBA M. SINGH

ORDER

% **06.12.2017**

CM No.40339/2017

Exemption allowed subject to all just exceptions.

W.P.(C) No. 9898/2017

Counsel for the petitioner states that orders have not been passed by the customs authorities in terms of order dated 27th November, 2017.

It is stated that the authorities are confused for it has been suggested that the petitioner should furnish bank guarantee in addition to undertaking-cum-bond. We have permitted release of the goods on the petitioner furnishing an undertaking-cum-bond to the respondent authority. We have not asked the petitioner to furnish bank guarantees. In these circumstances, the authority should not insist on the petitioner furnishing bank guarantee.

Compliance of the order dated 27th November, 2017 would be made within five working days of the receipt of the order by the respondent authorities.

However, the respondents would be entitled to examine and verify the goods imported and whether the import is in accordance with law and as per the advance authorisations.

Counter affidavit would be filed within six weeks. Rejoinder, if any, within four weeks after service of the counter affidavit.

Re-list on 5th March, 2018.

We would also ask the Board to examine the issue raised and, if deemed appropriate, they shall issue necessary directions.

Dasti.

SANJIV KHANNA, J.

PRATHIBA M. SINGH, J.

DECEMBER 06, 2017
MR/VKR