

(2021) 01 DEL CK 0313

In the Delhi High Court

Case No : Civil Writ Petition No. 1137 Of 2021

Neeraj Kumar Saini

APPELLANT

Vs

Joint Secretary, Revenue & Anr

RESPONDENT

Date of Decision : 29-01-2021

Acts Referred:

Citation : (2021) 01 DEL CK 0313

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ; Jyoti Singh, J

Bench : Division Bench

Advocate : Akshay Sapre, Abhijeet Swaroop

Final Decision : Disposed Of

Judgement

D.N.Patel, CJ

C.M.No.3207/2021 (exemption)

Allowed, subject to all just exceptions. The application is disposed of.

W.P.(C) No.1137/2021

1. This writ petition has been preferred with the following prayers:-

â??a) Quash the unauthorized auction dated 27.05.2019 undertaken by Respondent No.2, and all proceedings consequent thereto;

b) Direct Respondent No.1 to restore the wrongfully seized and unauthorisedly auctioned gold and preserve the same till the disposal of the

same by the Revision Application by Respondent No.1;

c) Direct Respondent No.2 to restore an amount equivalent to the market value of the goods along with interest thereon from the date of the

auction till the date of restoration and maintain the said amount in a deposit bearing interest;

d) Direct Respondent No.1 to grant a reasonable opportunity of hearing to the Petitioner and decide the Petitioner's pending Revision

Application expeditiously and in a time bound manner;

e) Award costs as recoverable from Respondent No.2, to be donated to a good cause, as the Lordships deem fit;â??

2. Learned counsel for the petitioner submits that suffice it would be for the disposal of this writ petition, if a suitable direction is issued to the

Revisional Authority to decide the revision application preferred by the Petitioner in accordance with law and within a time bound schedule.

3. Having heard learned counsel for the parties and in view of the limited submission made by learned counsel for the petitioner, we direct respondent

No.1 to decide the revision application preferred by the Petitioner on 19.11.2018 against order-in-appeal dated 7th May, 2018 (Annexure P-14 to the

memo of this writ petition), in accordance with law, Rules, Regulations and Government Policies applicable to the facts of the case and on the basis of

the evidence on record, after giving adequate opportunity of being heard to the concerned parties. The decision shall be taken by respondent No.1 as

expeditiously as possible and practicable and preferably within a period of 12 weeks from the date of receipt of copy of this order.

4. With these observations writ petition is disposed of.