

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

WRIT PETITION NO. 6465 OF 2016

Evolis Cardprinter India Pvt. Ltd.

...Petitioner

Versus

Union of India & Ors.

...Respondents

.....

Mr. Sujay Kantawala and Mr. Anupam Dighe a/w. Ms. Chandni Tanna,
Mr. Karan Thakaray i/b India Law Alliance for the Petitioner.
Mr. Pradeep S. Jetly for the Respondents.

**CORAM : S.C. DHARMADHIKARI &
DR. SHALINI PHANSALKAR-JOSHI, J.J.**

DATE : 27th JUNE, 2016.

P. C. :

1. Mr. Jetly has produced a copy of the communication dated 24.06.2016 issued by the Deputy Commissioner of Customs addressed to Mr. Jetly.

2. We take this communication on record and mark it 'X' for identification. In the light of the same we are of the view that nothing survived in the writ petition. The Commissioner of Customs is now to be approached by the petitioner to claim refund of the special additional duty and we direct that if such a claim is raised, the same shall be processed on merits and in accordance with law as

expeditiously as possible and within a period of 2 months from the date of this order. Now the bill of entry has been assessed without levying the Retail Sale Price based on the Countervailing Duty. The petitioner is free to collect the SAD. The authority shall render all assistance and complete the formalities of compliance on receipt of the authenticated copy of this order.

3. The writ petition is disposed of by clarifying that all the contentions, on merits of the petitioner's claim, are kept open.

[DR. SHALINI PHANSALKAR-JOSHI, J.] [S.C. DHARMADHIKARI, J.]