

In the High Court of Judicature at Madras

Dated : 23.9.2016

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition Nos.29481 & 29482 of 2016 & WMP.No.25521 of 2016

M/s.Hine Hydraulics India Pvt. Ltd.,
rep.by its Chief Operating Officer
Mr.Rafael Vaga Gordaliza

...Petitioner
in both wps

Vs

1.The Deputy Commissioner of
Customs (SVB), Custom House,
No.60, Rajaji Salai, Chennai-1.

2.The Deputy Commissioner of
Customs (Group 5), Custom
House, No.60, Rajaji Salai,
Chennai-1.

...Respondents
in both wps

PETITION under Article 226 of The Constitution of India
praying for the issuance of Writs of Mandamus directing the
respondents to call for the records pertaining to the assessment
respectively made in Bill of Entry Nos. 5749181 and 5748306 dated
24.6.2016 and reassess the same without imposing 1% extra duty
deposit and further direct the respondents not to impose and
collect any amount representing extra duty deposit (EDD) in
respect of the imports made by the petitioner.

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For Petitioner :

Mr.Hari Radhakrishnan

For Respondents :

Mr.G.M.Syed Noorullah Sheriff, SPC

(2)

COMMON ORDER

Heard both.

2. The Senior Panel Counsel produced written instructions given by the Assistant Commissioner (SVB), which state that the Deputy Commissioner of Customs (SVB), vide letter dated 19.7.2016, informed the Deputy Commissioner (Group 5) that the extra duty deposit (EDD) was discontinued with immediate effect for the imports of M/s.Hine Hydraulics India Private Limited with the approval of the Principal Commissioner, Chennai-III.

3. The said statement is placed on record and the writ petitions stand disposed of accordingly. No costs. Consequently, the above WMP is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Deputy Commissioner of Customs (SVB),
Custom House, No.60, Rajaji
Salai, Chennai-1.
- 2.The Deputy Commissioner of Customs (Group 5),
Custom House, No.60,
Rajaji Salai, Chennai-1.

+2cc to Mr.G.M.SYEDNURULLASHERIFF, Advocate, S.R.No.54923

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(CO) SKV
CP (20/10/2016)