

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.19312 of 2018

M/s.R.K.Impex & Co. (India)
Represented by its Proprietor
Mr.Vinod Kumar Jain
16A, Synagogue Street,
Kolkatta - 700 001.

...Petitioner

Vs

1.The Principal Commissioner of Customs (Import)
No.6, Rajaji Salai, Chennai,
Tamil Nadu.

2.The Deputy Commissioner of Customs
No.60, Rajaji Salai, Customs House,
Chennai.

3.The Union of India
Represented by its Secretary
Department of Revenue
Ministry of Finance
North Block, New Delhi.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus, to direct the second respondent herein to finally assess the Bills of Entry No.3692962 dated 03.06.2011, 3692529 dated 03.06.2011, 3692524

dated 03.06.2011, 3692528 dated 03.06.2011 and 3708297 dated 06.06.2011, by taking into account the judgement of the Supreme Court in the case of SRF Ltd., reported in 318 E.L.T (Page 607) and return the Bank Guarantees Nos.083BG120905 dated 27.06.2013, 083BG120908 dated 27.06.2013, 083BG120907 dated 27.06.2013, 083BG120906 dated 27.06.2013 and 083BG120909 dated 27.06.2013 duly discharged.

For Petitioner : Mr.R.Mansoor Ilahi

For Respondent : Mr.S.Rajasekar
standing counsel

O R D E R

The petitioner seeks for mandamus directing the second respondent herein to finally assess the Bills of Entry No.3692962 dated 03.06.2011, 3692529 dated 03.06.2011, 3692524 dated 03.06.2011, 3692528 dated 03.06.2011 and 3708297 dated 06.06.2011, by taking into account the judgement of the Supreme Court in the case of SRF Ltd., reported in 318 E.L.T (Page 607) and return the Bank Guarantees Nos.083BG120905 dated 27.06.2013, 083BG120908 dated 27.06.2013, 083BG120907 dated 27.06.2013, 083BG120906 dated 27.06.2013 and 083BG120909 dated 27.06.2013 duly discharged.

2. After notice, this writ petition is listed today, for further hearing.

3. The learned standing counsel for the respondents submitted that the prayer in this writ petition has become infructuous, since the subject matter Bank Guarantees were already released and to that effect, a communication was also sent to the petitioner on 30.08.2018. He has also produced a copy of the said communication.

4. The learned counsel for the petitioner submitted that the above submission may be recorded and the writ petition may be closed.

5. Considering the relief sought for in this writ petition and the above submission made by the learned standing counsel

for the respondents, without expressing any view on the other merits raised by the petitioner, this writ petition is disposed of, as no further order is necessary. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

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To

1. The Principal Commissioner of Customs (Import)
No.6, Rajaji Salai, Chennai,
Tamil Nadu.
2. The Deputy Commissioner of Customs
No.60, Rajaji Salai, Customs House,
Chennai.
3. The Union of India
Represented by its Secretary
Department of Revenue
Ministry of Finance
North Block, New Delhi.

+1cc to Mr.S. Murugappan, Advocate SR.No.60776

+1cc to Mr.S. Rajasekar, Advocate SR.No.61082

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GMV (05/09/2018)