

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.11805 of 2018

Date of Decision: July 09, 2018

M/s Shree Hosiery Factory

.....Petitioner

versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Jagmohan Bansal, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner has been denied the registration of Merchandise Exports From India licence by the Principal Commissioner, Customs Commissionerate (Import), New Delhi vide memo dated 06.04.2018 (P-3) on the plea that an alert has been issued by the Directorate of Revenue Intelligence in respect of the petitioner's firm. The order clarifies that the petitioner's request cannot be acceded to till the alert is lifted or NOC is issued.

The petitioner, on the other hand, relies upon the Shipping Bill for Export (P-4) to claim that Directorate of Revenue Intelligence has already cleared the consignment and thus the alert no longer operates against the petitioner. No such factual plea has been raised by the petitioner before the Commissionerate of Customs or other concerned Authority.

In this view of the matter, we decline to entertain the instant writ petition at this stage and grant liberty to the petitioner to approach the Customs Commissionerate or any higher Authority explaining the factual

aspect as to whether or not the alert has been lifted or the requisite NOC

granted by the concerned department. Let such a representation be decided within two months from the date of its receipt.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

July 09, 2018		(SUDIP AHLUWALIA)
<i>mohinder</i>		JUDGE
Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No