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***IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 7433/2018 & CM No.28435/2018

GIPPSAERO PTY LTD. ..... Petitioner

Through : Mr. Ajay Bhargava and Mr. Aseem Chaturvedi, Advs.

versus

THE COMMISSIONER OF CUSTOMS (EXPORTS ..... Respondent

Through : Mr. Sanjeev Narula, Sr. Standing Counsel with Mr. Abhishek Ghai, Adv.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE A. K. CHAWLA

O R D E R

% **28.08.2018**

The petitioner's grievance is that its entitlement to draw-back, under Section 74 of the Customs Act, 1962 has been turned down. However, on 01.01.2018, the Central Government allowed the claim of draw-back to the petitioner.

Learned counsel for the respondent has produced the copy of a letter dated 21.08.2018 issued by the Assistant Commissioner and submits that the draw-back amount would be released to the petitioner. The said letter states that the draw-back amount could not be disbursed to the petitioner due to non-availability of details of bank account of the exporter in India.

Learned counsel for the petitioner submits that the exporter is located abroad and does not have any bank account in India but that the particulars of its overseas bank account would be furnished to the concerned Assistant Commissioner within one week. In such event, the said draw-back amount along with interest, under Section 75A shall also be remitted.

This writ petition is allowed in the above terms.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

AUGUST 28, 2018

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