

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2020

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.33800 of 2019
and
WMP. Nos.34305 of 2019

Trident Forgings Pvt.Ltd.

Rep. by its Director No.61 Sundar Nagar
3rd Avenue First Cross Street
Ekkattuthangal chennai 600 032.

.. Petitioner

Vs.

1 The Director General of Foreign Trade,
Udyog Bhawan H.Wing Gate No.2
Maulana Azad Road New Delhi 110 001.

2 The Assistant Commissioner of Customs
(EPCG - EODC -EOM Section)
No.60, Rajaji Salai Customs House
Chennai 600 001.

3 The Chief Manager
Central Bank of India AC -10 2nd Avenue
Anna Nagar West, Chennai 600 040.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to Writ of Certiorari to call for
the records relating to the letter dated 19/11/2019 in
BR/Annanagar /2019 -20-122 issued by the 3rd respondent for
payment of Rs.56 63 500 /- quash the same.

For Petitioner : Mr.R.Saravanakumar

For Respondents : Mr.Thiruvengadam
Standing Counsel - R1
Mr.S.R.Sundar
Senior Standing Counsel - R2
No appearance - R3

O R D E R

Heard Mr.R.Saravanakumar, learned counsel for the petitioner, Mr.Thiruvengadam, learned Standing Counsel for R1, Mr.S.R.Sundar, learned Senior Standing Counsel for R2.

2. The challenge in this Writ Petition is to the invocation of bank guarantee on 19.11.2019 even during the pendency of application dated 29.05.2019 filed by the petitioner before the Policy Relaxation Committee seeking extension of time for fulfilment of export obligations.

3. On 10.12.2019, this Court recorded the position that the Policy Relaxation Committee would hear the petitioner and dispose the representation filed by the petitioner on or before 01.02.2020. The application has been taken up for consideration thereafter and orders passed on 10.02.2020 extending time till December, 2020. As a result, the invocation of bank guarantee under the impugned communication is liable to be set aside.

4. The petitioner, in line with the present developments, will keep the bank guarantee alive for the entirety of the period set out under order of the Policy Relaxation Committee dated 10.02.2020.

5. This Writ Petition is disposed as above. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AD I)

//True Copy//

Sub Assistant Registrar

To

- 1 The Director General of Foreign Trade,
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+lcc to Mr.E.Veda Bagath Singh, Advocate in Sr no.27288
+lcc to Mr.S.R.Sundar, Advocate in Sr no.27247

W.P. No.33800 of 2019
and
WMP. No.34305 of 2019

SKS (SO)

RV (01.09.2020)



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