

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.8520-2020 (O&M)
Date of decision : 29.06.2021**

M/s S.B.Medical Systems

..... Petitioner

versus

Union of India & ors.

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
HON'BLE MR.JUSTICE VIKAS BAHL**

Present :- Mr. Sudhir Malhotra, Advocate
for the petitioner.

Mr. S.P.Jain, Addl. Solicitor General of India with
Mr. Dheeraj Jain, Sr. Counsel for
Union of India-respondents No.1 to 3.

Mr. Anshuman Chopra, Sr. Panel Counsel
for CBIC-respondents No.4 & 5.

Mr. Pankaj Gupta, Addl. A.G. Punjab.

AJAY TEWARI, J. (Oral)

CM-7426-CWP-2021 in CWP No.8520-2020

1 For the reasons recorded, the application is allowed and the document Annexure P-14 is taken on record.

Main case

1 This petition has been filed for quashing and setting aside the letter dated 20.05.2020 of respondent No.3 (Annexure P-9) and pray to allow import of used ventilators at par with relaxation of provision in similar situated case.

2 Learned Additional Solicitor General of India has fairly stated that in view of the office memorandum dated 10/14 June, 2021 wherein the Ministry has decided to allow one-time permission for import of used

critical care medical equipment for re-use (Basel No.B1110) that have already been imported and lying at different ports/airports as on 08.06.2021, the necessary order will be passed within a period of 15 days from the date of receipt of certified copy of this order.

3 Counsel for the petitioner further states that he has also prayed for exemption from paying warehouse charges. We direct the authorities to consider this as well and decide the same in accordance with law.

4 Learned Additional A.G., Punjab points out that in the order of 15.07.2020, counsel for the petitioner had undertaken that ventilators would not be supplied to any hospital outside Punjab.

5 Counsel for the petitioner has assured the Court that the petitioner would be bound by that undertaking.

6 Since the main case has been decided, the pending civil miscellaneous applications (alongwith modification/recalling), become infructuous and disposed of as such.

(AJAY TEWARI)
JUDGE

(VIKAS BAHL)
JUDGE

29.06.2021

pooja sharma-I

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No