

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

**CWP No.12349 of 2017
Date of decision: 21.03.2022**

M/s Raj Overseas, through its partner Sh. Anil Nath

....Petitioner

Versus

Union of India and others

...Respondents

**CORAM: HON'BLE MR. TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE PANKAJ JAIN**

Present : Mr. Jagmohan Bansal, Senior Advocate assisted by
Mr. Deepak Gupta, Advocate
for the petitioner.

Mr. Alok K. Jain, Senior Panel Counsel
for the respondents.

TEJINDER SINGH DHINDSA, J. (ORAL)

Instant petition was filed in the year 2017 raising a challenge to a particular clause contained in the Public Notice dated 8th September, 2016 (Annexure P-11) wherein it has been stated that as regards return of zero duty EPCG (Export Promotion Capital Goods Scheme)/Post Export EPCG and SHIH (Status Holder Incentive Scheme), such option was not available when the zero duty EPCG is already redeemed by the DGFT.

2. Counsel for the parties are *ad idem* that till date pursuant to the impugned clause in the Memo dated 8th September, 2016 (Annexure P-11), no proceedings to the prejudice to the petitioner has been initiated.

3. Counsel for the petitioner as such seeks withdrawal of the writ petition at this stage with liberty to approach this Court afresh in the

eventuality of any cause of action arising.

4. As per submission made by counsel for the petitioner, the instant petition is dismissed as not pressed at this stage.

5. We make it clear that the issue, as regards to the validity of the impugned condition in the Public Notice dated 8th September, 2016, is kept open.

(TEJINDER SINGH DHINDSA)
JUDGE

March 21, 2022
Dpr

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No