

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

CWP-26610-2021

Date of decision: 14.01.2022

Ranya International

.... Petitioner

Versus

Commissioner of Customs and another

.... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Mukul Singla, Advocate
for the petitioner.

Mr. Anshuman Chopra, Advocate
for respondent No.1.

Mr. Sudhir Nar, Senior Panel Counsel
for respondent No.2.

(Through Video Conferencing)

AJAY TEWARI, J (ORAL)

By this petition, the petitioner had prayed that respondent No.1 upload its shipping bill on the portal so that he can get various export credits which it was entitled to.

2. On 06.01.2022, the following order was passed:-

“Learned counsel for respondent No.1, Mr. Anshuman Chopra, Advocate, informs the Court that the prayer, as made in the writ petition, has been rendered infructuous as the shipping bills of the petitioner, as sought to be uploaded, have already been so done, which fact is disputed by learned counsel for the petitioner by asserting that he has been informed by the Additional Director General,

Directorate of Foreign Trade, Green Field, Ludhiana, Punjab-respondent No.2, that they have not received the shipping bills till date.

Learned counsel for the petitioner to send the concerned communication to learned counsel for respondent No.1, who shall thereafter get instructions.

Mr. Sudhir Nar, learned counsel appearing for respondent No.2 also prays for some time to seek instructions.

List for consideration on 10.01.2022.”

3. Thereafter, on 10.01.2022, the following order was passed:-

“Mr. Mukul Singla, Advocate states that even today, the same position is prevailing. Those bills for which no last date has been yet fixed/notified, have been uploaded, but those bills for which last date is 31.01.2022 are not available with respondent No.2.

Learned counsel for respondent No.2 states that the discrepancy is at the end of respondent No.1 because if respondent No.1 had uploaded the bills (as asserted even on the last date), then it would have reflected on the system.

Mr. Anshuman Chopra, Advocate seeks one more opportunity.

List on 13.01.2022.”

4. Today, Mr. Chopra, Advocate for respondent No.1 has stated that as a matter of fact, the bills are not reflecting on the portal because the petitioner's CGST has been suspended and if and when the CGST of the petitioner is permitted, the bills would automatically be visible both to the petitioner and respondent No.2.

5. The apprehension of learned counsel for the petitioner is that till the bills are uploaded and visible, he cannot make an application for the various benefits, i.e. ROSCTL which accrue to him.

6. In the circumstances, since the petitioner is prevented from moving the necessary application, it is directed that in case ultimately the petitioner is found entitled to the benefits, respondent No.2 shall release the same without the petitioner having to move an application.

7. Petition stands disposed of.

**(AJAY TEWARI)
JUDGE**

**(PANKAJ JAIN)
JUDGE**

14.01.2022

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No