

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

258

CWP-2221-2022 (O&M)
Date of decision:- 17.01.2023

Worldwide Tradelinks

.... Petitioner

Vs

Additional Director General and others

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MANISHA BATRA**

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

Mr. Sunish Bindlish, Senior Standing Counsel
Mr. Prashant Rana, Advocate for respondents No.1 and 2.

Mr. Rishabh Kapoor, Senior Standing Counsel
for CBIC-respondent No.3.

Ritu Bahri, J. (Oral)

In the instant writ petition, the petitioner has sought for directing the respondents to remove alert imposed upon Import Export Code of the petitioner and further directing the respondents to release admissible export incentive on account of the exports made during October, 2020 to June, 2021.

Written statement on behalf of respondent No.3 has been filed in Court today, which is taken on record. Copy stands supplied to the opposite counsel.

In the reply, it is stated that alert against the exporter has been inserted in the Indian Customs EDI Systems (ICES) on the basis of the recommendation received from the Deputy Director, Directorate of Revenue Intelligence, Ludhiana vide letter dated 21.06.2019, Annexures R1 to R4.

This writ petition had been filed on 28.01.2022 and since there was a red alert, petitioner was unable to make that application. Today, learned counsel for the respondents upon instructions from Mr. R.K. Meena, D.C. Customs, submits that respondent No.3 is going to lift the red alert on account of the shipping bills which have been filed after 18.06.2019 till 31.12.2022 within a period of two weeks.

After the red alert is lifted, the petitioner can file an application manually for release of export benefits even if the last date of filing the return has expired on 28.02.2022. After lifting of the alert, the application shall be filed by the petitioner before respondent No.2-Additional Director General, Directorate General of Foreign Trade, Green Field, Ludhiana, which is to be accepted by respondent No.2 and thereafter, be processed in accordance with law.

Accordingly, the instant writ petition is allowed.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

17.01.2023
pooja saini

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No