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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 15865/2024 & CM APPL. 66645/2024 (*for interim relief*)

SPEEDOFER COMPONENTS PVT. LTD.Petitioner

Through: Mr. Pragyan Pradip Sharma, Mr.
Raghav Tiwari, Mr. Hardik Jain, Mr.
B.S. Randhawa, Advocates

versus

UNION OF INDIA & ANR.Respondents

Through: Mr. Ravi Prakash, CGSC with Mr.
Aakash Meena, Ms. Astu
Khandelwal, Mr. Neel Nikhar, Ms.
Payal Swarup, Advocates for R-1 & 2

+ W.P.(C) 15866/2024 & CM APPL. 66648/2024 (*for interim relief*)

VICTOR MAGNETICS PRIVATE LIMITEDPetitioner

Through: Mr. Pragyan Pradip Sharma, Mr.
Raghav Tiwari, Mr. Hardik Jain, Mr.
B.S. Oberoi, Advocates

versus

UNION OF INDIA & ANR.Respondents

Through: Mr. Ravi Prakash, CGSC with Mr.
Aakash Meena, Ms. Astu
Khandelwal, Mr. Neel Nikhar, Ms.
Payal Swarup, Advocates for R-1 & 2

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

14.11.2024

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1. The present petitions assail the Disclosure Statement dated 7th November, 2024 issued by Respondent No. 2, the Designated Authority, Directorate General of Trade Remedies under Rule 16 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 in the anti-dumping investigation concerning the imports of Soft Ferrite Cores from China PR.

2. Although the Petitioners impugn the Disclosure Statement on the ground that Respondent No. 2 has omitted in disclosing essential facts and submissions, however, Mr. Pragyan Pradip Sharma, counsel for the Petitioners, after making some submissions states that the Petitioners' grievance would be redressed in case the Designated Authority is directed to consider the Petitioners' written submissions dated 20th September, 2024.

3. Mr. Ravi Prakash, CGSC for the Union of India, on the other hand, points out that the Division Bench of this Court in ***Hindustan Lever Ltd. Now Know as Hindustan Unilever Limited v. Union of India & Ors.***¹ have categorically examined the question of maintainability of a writ petition against disclosure statements and answered in the negative. He also points out that the Disclosure Statement itself stipulates that all interested parties shall be permitted to offer their comments and the Designated Authority would conclude the matter after considering the same. To this effect, the Disclosure Statement reads as under:

“3. Notwithstanding the facts given in this Disclosure Statement (including facts given on a confidential basis), the Designated Authority would consider all replies given on merits, in order to arrive at a final determination.

¹ W.P.(C) 2632/2017 decided on 16th May, 2017



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130. The essential facts of the investigation gathered by the Authority during the course of the investigation and analyzed by the Authority in the present disclosure statement are being disclosed to the interested parties in order to enable these interested parties to offer their comments on these facts.

131. The Authority would conclude the matter after receiving the comments of the interested parties on this disclosure statement.”

4. In light of the foregoing, without delving into the issue of maintainability, and noting that the limited relief sought by the Petitioners pertains to the consideration of their submissions, as explicitly contemplated in the Disclosure Statement, the present writ petition is disposed of with a direction to the Designated Authority to conclude the matter after duly considering the submissions already made by the Petitioners, as well as the additional submissions they intend to file today.

5. It is made clear that the Court has not examined the merits of the case. All rights and contentions of the parties are left open.

6. Accordingly, the present petitions, along with pending applications, if any, are disposed of.

SANJEEV NARULA, J

NOVEMBER 14, 2024/ab