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IN THE HIGH COURT OF DELHI AT NEW DELHI*Date of decision: 26th March, 2025*

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W.P.(C) 13931/2022**M/S SMARTCHEM TECHNOLOGIES LIMITEDPetitioner****Through:****versus****UNION OF INDIA & ANR.****.....Respondents****Through:****Ms. Arunima Dwivedi, CGSC for UOI
with Ms. Pinky Pawar and Mr.
Vedansh Anand, GPs and Ms. Kritika
Sharma, Advocates.****Mr. Anurag Ojha, SSC with Mr. Dipak
Raj, Mr. Shubham Kr., Mr. Vipul Kr.
And Ms. Garima Kr., Advocates.****CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE RAJNEESH KUMAR GUPTA****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed under Article 226 of the Constitution of India, *inter alia*, challenging the Office Memorandum dated 31st August, 2022 (hereinafter "*impugned OM*") *vide* which the Central Government has refused to accept the recommendations of the Directorate General of Trade Remedies (hereinafter "*DGTR*").
3. The present matter relates to the product viz., Ammonium Nitrate (hereinafter "*subject goods*") imported into India from Russia, Georgia and Iran.
4. The Petitioner being the domestic industry had filed an application before the DGTR for the imposition of Anti Dumping Duty (*hereinafter*



“ADD”). Investigation was undertaken by the DGTR and final findings dated 1st August, 2017 were recommended and the same was notified on 11th September, 2017.

5. Thereafter, in terms of the Customs Tariff (Identification, Assessment and Collection of Anti Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, Sunset Review was initiated and a public hearing was also held. Interested parties had filed their submissions and the Designated Authority issued final findings on 10th June, 2022 that there is likelihood of continuation of recurrence of dumping and injury. Accordingly, the continuation of ADD imposition was recommended. However, the Central Government *vide* the impugned OM did not accept the recommendation of the DA and denied the continuation of imposition of anti-dumping duty. Hence, the present petition was filed.

6. The stand of the Petitioner now is that it no longer insists on the imposition of the ADD in respect of the subject goods and, therefore, the Petitioner does not press its challenge in the present petition to the impugned OM.

7. In view of the above position, the petition is disposed of as infructuous binding the Petitioner to its stand that it no longer insists on imposition of ADD in respect of the subject goods.

PRATHIBA M. SINGH
JUDGE

RAJNEESH KUMAR GUPTA
JUDGE

MARCH 26, 2025/nd/msh