



2025:DHC:2194-DB



\$~36

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

Date of Decision: 26th March, 2025

+ **W.P.(C) 13063/2023 & CM APPLs. 51588/2023 & 17747/2025**

M/S RELIANCE INDUSTRIES LIMITEDPetitioner

Through: Appearance not given.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: 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 on behalf of the Petitioner-M/s Reliance Industries Limited under Article 226 of the Constitution of India, *inter alia* seeking implementation of anti-dumping duties in terms of the final findings dated 31st March, 2023 issued by the Respondent No. 2- Ministry of Commerce and Industry, Department of Commerce (*hereinafter, the 'Department'*).
3. Vide order dated 31st March, 2023 the Department *inter alia* recommended extension of the anti-dumping duty on imports of high tenacity



polyester yarn (*hereinafter*, 'goods') originating in or exported from China.

4. A brief background of the present case is that on 9th July, 2018 the Department imposed anti-dumping duties for a period of five years vide Notification No. 35/2018-Customs (anti dumping duty) dated 9th July, 2018 on the goods originating in or exported from China. This imposition was based on the recommendation made by the Department through its final findings No. 6/12/2017-DGAD dated 24th May, 2018.

5. It is further stated that anti circumvention investigation vide Notification F. No. 7/9/2022-DGTR dated 27th July, 2022 was initiated based on an application filed by the Petitioner. Thereafter, an oral hearing was conducted on 9th November, 2022. On 31st March, 2023 the Department *inter alia* held that the Chinese producers have been circumventing the existing anti-dumping duty imposed on the goods. Further, the Department recommended extension of anti-dumping duty imposed on the goods from the date of issuance of notification by the Central Government.

6. It is the case of the Petitioner that the three months time prescribed under Rule 18 of the Anti-Dumping Rules for the Central Government to take a decision on the recommendation made by the Department has expired on 30th June, 2023. Further, in the writ petition, the stand of Petitioners is that, non-issuance of any notification within a period of 3 months from the date of final findings by the Central Government constitutes a deemed decision.

7. However, the stand of the Petitioner now is that the domestic industry no longer insists on the imposition of anti dumping duty in respect of the goods and therefore, the Petitioner does not press the present petition.

8. 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 anti



2025:DHC:2194-DB



dumping duty in respect of the subject goods.

PRATHIBA M. SINGH
JUDGE

RAJNEESH KUMAR GUPTA
JUDGE

MARCH 26, 2025/nd/rks

Signature Not Verified

Signed By: NAMITA
DHYANI
Signing Date: 02.04.2025
17:31:51

W.P.(C) 13063/2023

Page 3 of 3