2025:DHC:2193-DB

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

Date of Decision: 26th March, 2025

\+ **W.P.(C) 13064/2023& CM APPLs. 51589/2023 & 17748/2025**

M/S RELIANCE INDUSTRIES LIMITED .....Petitioner

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 by the Petitioner- M/S Reliance Industries Limited, under Article 226 of the Constitution of India, *inter alia,* seeking implementation of the recommendations made by Respondent No. 2- the Designated Authority, vide the final finding notification being F. No. 7/21/2022-DGTR dated 6th April, 2023 for extension of imposition of Anti-Dumping Duty *(hereinafter "ADD").*

3. This petition relates to the product, namely "High Tenacity Polyester Yarn/Industrial Yarn (hereinafter "*subject goods*") imported into India from China PR.

4. The Petitioner herein, being the domestic industry, had filed an application before the Designated Authority for the imposition of ADD.

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, and based on the application filed by the Petitioner, the Designated Authority, in terms of Rule 5(5) of the Anti - Dumping rules, initiated the sunset review investigation vide Notification F. No. 7/21/2022-DGTR dated 30th September, 2022.

6. The designated authority issued an Economic Interest Questionnaire to all interested parties. However, a response to the questionnaire was filed only by the Petitioner and two exporters. None of the importers or users of the subject goods, including those participating in the present investigation, filed a response to the Questionnaire. Further, the administrative ministry for the subject goods has also not objected or made any statement against continuation of duty.

7. Subsequently, the final finding notification being F. No. 7/21/2022-DGTR dated 6th April, 2023 was passed recommending the continuation of imposition of ADD on the imports of said products.

8. However, the three months' time period, as prescribed by Rule 18 of the ADD Rules, 1995, for the Central Government to take a decision on the recommendations made by the Designated Authority for imposition or non-imposition of ADD lapsed on 6th July, 2023. The non-issuance of any notification or office memorandum within the stipulated period from the date of final finding, according to the Petitioner, constitutes a deemed decision not to accept the recommendation.

9. The Petitioner now does not insist on imposition of ADD. 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/ss*