

ITEM NO.35

COURT NO.3

SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

MISCELLANEOUS APPLICATION Diary No. 33619/2022

COMMISSIONER OF CUSTOMS (EXPORT) NHAVA SHEVA

Petitioner(s)

VERSUS

RSWM LIMITED

Respondent(s)

(IA No. 64886/2023 - CONDONATION OF DELAY IN FILING and IA No. 158747/2022 - RESTORATION)

Date : 03-10-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)

Mr. Balbir Singh, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mrs. Priyanka Dass, Adv.
Mr. Satya Lipsuray, Adv.
Mrs. Monica Benjamin, Adv.
Mr. Naman Tandon, Adv.

For Respondent(s)

Ms. Charanya Lakshmikumaran, AOR
Ms. Apeksha Mehta, Adv.
Ms. Neha Choudhary, Adv.
Ms. Umang Motiyani, Adv.
Ms. Falguni Gupta, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The applicant will file an affidavit of the Secretary, Ministry of Finance on whether the Instruction F.No. 390/Misc./163/2010-JC dated 17.08.2011 issued by the Central Board of Excise & Customs, Department of Revenue, Ministry of Finance has not been modified in view of the Instruction F.No. 390/Misc./116/2017-JC dated 22.08.2019 issued by the Central Board of Indirect Taxes & Customs, Department of Revenue, Ministry of Finance. The affidavit

will also indicate the reason for not modifying the figures mentioned in the circular dated 17.08.2011 even after a lapse of twelve years. The affidavit will be filed within three weeks from today.

Re-list after four weeks.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR