

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE TWENTIETH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

AND

THE HONOURABLE SRI JUSTICE A V RAVINDRA BABU

IA NO.1 OF 2023

IN

WRIT PETITION NO: 27812 OF 2023

[3438]



Between:

P D R D Rice Mill Pvt Ltd., Bandha Village, Deoghar P.O., Jharkhand - 814112
Represented by its Authorized Signatory Mr. Aman Gupta.

Petitioner

AND

1. Union of India, Represented by the Secretary, Ministry of Finance, Department of Revenue, New Delhi
2. The Director General of Foreign Trade, Vanijya Bhawan, 'A' Wing, 16 Akbar Road, New Delhi -1100113.
3. The Commissioner of Customs, Customs House, Vishakhapatnam Port.

Respondents

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased direct the Respondents to permit the petitioner to export the 270 Mts consignment of the Petitioner containing Rice Para-boiled variant with HSN Code 1006 30 10 lying in the Custorts Area of the 31-4 respondent without reference to the Notification No. 49/2023- Customs dated 25.08.2023 and Notification No. 50/2023- Customs dated 25.08.2023 issued by the 1st Respondent by issuing necessary order, Pending disposal of WP 27812 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri CHALLA GUNARANJAN Advocate for the Petitioner and of SRI N.HARINATH, Deputy Solicitor General for the Respondent Nos.1 & 2 and of SRI Y.N.VIVEKANANDA, Standing Counsel for the Respondent No.3, the Court made the following

ORDER:

“Sri Challa Gunaranjan, learned counsel for petitioner would submit that in similar matter i.e., I.A.No.1/2023 in W.P.No.24034/2023, this Court passed an order and requested this Court to pass the similar order.

Learned Senior Standing Counsel admitted the same and stated that in case the petitioner is permitted to export the consignment, the petitioner may be directed to offer suitable bank guarantee equivalent to the tax value.

In view of the respective submissions, while posting the matter for filing counter after four (04) weeks, in the meanwhile, the petitioner is permitted to export his consignment i.e., Para-boiled rice of 270 Mts in terms of shipping bills on the condition of petitioner offering a bank guarantee issued by HDFC Limited, Rampurhat Branch, West Bengal (as the counsel for petitioner submits that the petitioner is having account with the said Bank) equivalent to tax component. On such offering the bank guarantee and meeting other statutory requirements, the 3rd respondent shall permit the petitioner to export the aforesaid consignment by revalidating the shipping bills dated 31.07.2023."

//TRUE COPY//

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of Finance, Department of Revenue, New Delhi
 2. The Director General of Foreign Trade, Vanijya Bhawan, 'A' Wing, 16 Akbar Road, New Delhi -1100113.
 3. The Commissioner of Customs, Customs House, Vishakhapatnam Port
(Addresses 1 to 3 by RPAD)
 4. One CC to SRI. CHALLA GUNARANJAN Advocate [OPUC]
 5. One CC to SRI N.HARINATH, Deputy Solicitor General. [OPUC]
 6. One CC to SRI Y.N.VIVEKANANDA, Standing Counsel. [OPUC]
 7. Two spare copies
- ER

HIGH COURT

UDPRJ
&
AVRBJ

DATED:20/10/2023

POST AFTER FOUR (4) WEEKS

ORDER

IA NO.1 OF 2023

IN

WP.No.27812 of 2023

DIRECTION

