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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ **W.P.(C) 10289/2020, CM Nos.32552/2020 & 21626/2021**

SUPREME PETROCHEM LTD.

.....Petitioner

Through: Mr Ramesh Singh, Sr. Adv. with Mr
Jitendra Singh, Mr Ankit Jain, Mr
Anshuman Sahni and Mr
AkshaySoni, Advs.

versus

UNION OF INDIA AND ANR.

.....Respondents

Through: Mr N. Venkataraman, ASG and Mr
Ravi Prakash, CGSC with Mr Ram
Narayan, Ms Bani Dixit and Mr
Shahan Ulla, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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05.09.2022

[Physical Court hearing/ Hybrid hearing (as per request)]

CM No.21626/2021

1. This is an early hearing application moved on behalf of the petitioner.
2. Since the matter is listed today, the captioned application is closed.

**W.P.(C) 10289/2020& CM No.32552/2020[Application filed on behalf of
the petitioner seeking interim relief]**

3. The petitioner before us is the domestic industry. It is not in dispute that the Designated Authority [in short “DA”] via notification dated 12.06.2020 has recommended the imposition of anti-dumping duty [in short, “ADD”].

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4. It is also not in dispute that the Government of India has disagreed with the recommendation made by the DA.

4.1 This decision forms part of the Office Memorandum (OM) dated 11.11.2020.

5. Given this position, we are of the view that as an ad-interim measure, the following direction would suffice, as the need to impose ADD would arise only if the petitioner were to succeed in the instant writ petition.

(i) The provisional assessment of imports concerning the product in issue will be made for the time being. The importers would, thus, be put to notice of the possibility of ADD being imposed, *albeit* as per law, if, as noticed above, the petitioner were to succeed in the instant writ petition.

(ii) It is, however, made clear that the aforesaid direction will not create any equities in favour of the petitioner.

(iii) Furthermore, this direction will not have an impact on the merits of the writ petition.

6. CM No.32552/2020 is disposed of in the aforesaid terms.

7. List the matter on 02.03.2023.

RAJIV SHAKDHER, J

TARA VITASTA GANJU, J

SEPTEMBER 5, 2022

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[Click here to check corrigendum, if any](#)

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