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

+ **W.P.(C) 13144/2022 & CM APPL.39846/2022**

AVANTI OVERSEAS PRIVATE LIMITED Petitioner

Through: Mr.V.Lakshmikumaran, Advocate
with Mr.Karan Sachdev, Mr.Rachit
Jain and Mr.Agrim Arora, Advocates.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr.Asheesh Jain, CGSC with
Mr.Keshav Mann, Advocate for UOI.
Mr.Satish Kumar, Sr.Standing
Counsel.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **09.09.2022**

CM APPL.39872/2022 (exemption)

Allowed, subject to all just exceptions.

Accordingly, the application stands disposed of.

W.P.(C) 13144/2022 & CM APPL.39846/2022

At the outset, learned counsel for the petitioner states that he would like to amend the memo of parties. Let an amended memo of parties be filed within a week.

It is pertinent to mention that the present writ petition has been filed challenging the order dated 09th February, 2021 passed by the Respondent No.1. Petitioner also seeks a direction in the nature thereof, declaring Rule



16 of the Customs, Central Excise Duties and Service Tax Drawback Rules, 1995 as unconstitutional, ultra vires and violative of Article 14 of the Constitution of India.

Issue notice. Mr.Asheesh Jain and Mr.Satish Kumar, learned counsel for the respondents, accept notice. They pray for and are permitted to file their counter affidavits within four weeks. Rejoinder affidavits, if any, be filed before the next date of hearing.

List on 14th March, 2023.

MANMOHAN, J

MANMEET PRITAM SINGH ARORA, J

SEPTEMBER 9, 2022
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