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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-19496-2024 (O&M)
Date of Decision: 12.08.2024

BEETA POLY COATS PVT. LTD. AND ANOTHER

. . . . Petitioners

Vs.

THE DIRECTORATE GENERAL OF TRADE REMEDIES & ANOTHER

. . . . Respondents

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CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE SANJAY VASHISTH

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Present Mr. Akshay Bhan, Sr. Advocate with
Mr. Ashish Chandra, Advocate
Mr. Amandeep Singh, Advocate
Ms. Anushka Agarwal, Advocate
Mr. Shantanu, Advocate
Mr. Saurabh Khosla, Advocate
for the petitioner.

Mr. Sourabh Goel, Sr. Standing Counsel with
Ms. Geetika Sharma, Advocate
Ms. Anju Bansal, Advocate
for the respondents/Revenue.

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SANJEEV PRAKASH SHARMA, J.(Oral)

1. Admittedly, final findings have not been arrived at in terms of Rule 17 of the Customs Tariff (Identification, Assessment and Collection of Anti Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995.
2. Learned senior counsel for the petitioner submits that they should have been given an opportunity of hearing.
3. We do not propose to enter into the controversy before final findings have been arrived at. There is no occasion for the Court to presume

either in favour or against the petitioner. The law is settled on this aspect, even as per the judgment cited by the petitioners of Supreme Court in ***Automotive Tyre Manufacturers Association vs. Designated Authority and others, (2011) 2 SCC 258.***

4. In view thereof, this petition challenging preliminary findings is held to be not maintainable, and the same is accordingly ***dismissed***.

(SANJEEV PRAKASH SHARMA)
JUDGE

(SANJAY VASHISTH)
JUDGE

August 12, 2024
Mohit goyal

1. Whether speaking/reasoned? ***Yes/No***
2. Whether reportable? ***Yes/No***