

ITEM NO.39

COURT NO.12

SECTION XVI

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

Petition(s) for Special Leave to Appeal (C) No(s). 7565/2019

(Arising out of impugned final judgment and order dated 05-10-2018 in WP No. 11957/2016 passed by the High Court At Calcutta)

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

M/S SANMARG PRIVATE LIMITED & ORS.

Respondent(s)

IA No. 96240/2019 - INTERVENTION APPLICATION)

Date : 22-04-2024 These matters were called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Mr. N Venkatraman, A.S.G.
Mr. Raj Bahadur Yadav, AOR
Mr. Manish Pushkarna, Adv.
Mr. Rajat Nair, Adv.
Mr. Shardha Deshmukh, Adv.
Mr. Chinmayee Chandra, Adv.
Mr. Somiran Sharma, Adv.

For Respondent(s) Mr. Soumitra G. Chaudhuri, Adv.
Mr. Chanchal Kumar Ganguli, AOR

Mr. Tarun Gulati, Sr. Adv.
Ms. Henna George, Adv.
Mr. Devansh, Adv.
Mr. Ravindra Sadanand Chingale, AOR

Mr. Himanshu Shekhar, AOR
Mr. Parth Shekhar, Adv.
Ms. Ambali Vedasen, Adv.
Mr. Shubham Singh, Adv.
Mr. Vijay Singh, Adv.
Mr. Mahabir Singh, Adv.
Mr. Vivek Kumar, Adv.
Mr. Rajat Sinha Roy, Adv.
Mr. Gyanesh Kumar Maheshwari, Adv.
Mr. Monica Haseja, Adv.
Mr. Ugranath Kumar, Adv.
Ms. Rachna Ranjan, Adv.

Mr. Nikhil Kumar, Adv.
Mr. Arvind Kumar Tomar, Adv.
Mr. Mukesh Kumar Verma, Adv.

Mr. Mayank Pandey, AOR
Mr. Ashish Kumar Pandey, Adv.
Ms. Anjesh Dahiya, Adv.

Ms. Purti Gupta, Adv.

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

On the last occasion, after a detailed hearing, learned counsel for the petitioners had sought time to get instructions in the matter.

Today, he submitted that the Ministry of Commerce and Industry as well as Directorate General of Foreign Trade, have taken a decision to arrive at a consensus in the matter and to restore the import policy of newsprint as it prevailed prior to 03.06.2016, which would be continued by the Government without insisting on the revised policy vide Notification No.9 dated 03.06.2016, which has been quashed by the High Court. He, therefore, submitted that an appropriate order may be made in this Special Leave Petition.

Learned Senior Counsel and learned counsel for the respondents submitted that if the earlier policy is to prevail, they may not have any objection for the disposal of the Special Leave Petition, recording the submission of the learned counsel for the petitioner. However, all questions of law, which arise in this matter, may be left open to be agitated in any other appropriate case.

The submissions of learned counsel for the petitioners, learned Senior Counsel and learned counsel for the respondents are placed on record.

Para 3 of the Communication dated 18th April, 2024 made to the learned Additional Solicitor General, reads as under:-

"3. The suggestion as put forward by your good office was taken up for consideration during the detailed deliberations with the concerned stakeholders. There was consensus among the representatives from Govt. Ministries/Departments that the import policy of newsprint prevailed prior to 03.06.2016 (which allows submission of documents "at the time of clearance of goods") may be continued and the Government may not insist on policy revision as notified vide Notification No.9 dated 03.06.2016."

Recording the above,, the Special Leave Petition stands disposed of, as the petitioner has now decided to discontinue the Notification No. 9 dated 03.06.2016 which, in any case, has also been quashed by the High Court and to restore the import policy of newsprint which prevailed prior to 03.06.2016. In other words, the petitioners are not pressing this Special Leave Petition.

However, questions of law, if any, which arise in this Special Leave Petition, are kept open.

The Special Leave Petition stands disposed of in the aforesaid terms.

Pending application(s), if any, shall stand disposed of.

(VARSHA MENDIRATTA)
COURT MASTER (SH)

(MALEKAR NAGARAJ)
COURT MASTER (NSH)