

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**CIVIL APPLICATION (FOR STAY) NO. 1 of 2025**

**In**

**R/SPECIAL CIVIL APPLICATION NO. 15673 of 2024**

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**EPIGRAL LIMITED(MEGHMANI FINECHEM LIMITED))**

**Versus**

**UNION OF INDIA**

=====

Appearance:

MR MIHIR JOSHI, LD.SR.ADV WITH MR DHAVAL SHAH(2354) for the  
PETITIONER(s) No. 1

MR ANKIT SHAH(6371) for the RESPONDENT(s) No. 1

MR PRAGYAN PRADEEP SHARMA, LD.SR.ADV with MS.GARGI VYAS and  
MR.RAJESH SHARMA for the Respondent No.6

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**CORAM:HONOURABLE MR. JUSTICE BHARGAV D. KARIA**

**and**

**HONOURABLE MR.JUSTICE D.N.RAY**

**Date : 25/03/2025**

**IA ORDER**

**(PER : HONOURABLE MR. JUSTICE BHARGAV D. KARIA)**

1. Heard learned Senior Advocate Mr.Mihir Joshi with learned advocate Mr.Dhaval Shah for the applicants, learned advocate Mr.Ankit Shah for the respondent Nos.2 and 3 and learned Senior Advocate Mr.Pragyan Pradeep Sharma with learned advocate Ms.Gargi Vyas and learned advocate Mr.Rajesh Sharma for the respondent No.6.

2. By this application, the applicants have prayed for the following reliefs:

*"A. Your Lordships, be pleased to restrain the Respondents from taking any steps pursuant to the Disclosure Statement till disposed of the subject petition.*

*B. Ex parte ad interim interim relief in terms of prayer A above be granted;*

*C. This Hon'ble Court be pleased to grant such other and further relief in the interest of justice."*

3.1. Learned Senior Advocate Mr.Mihir Joshi for the applicants submitted that the Special Civil Application No.15673 of 2024 is already heard and kept for judgment. It was submitted that as per the provisions of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped

Articles and for Determination of Injury) Rules, 1995 (for short 'the Rules'), the respondent-Authority is required to pass an order within a period of twelve months which is expiring today and if any final order is passed by the respondent-Authority, the entire Special Civil Application and the decision which may be rendered by this Court shall become infructuous and would lead to multiplicity of the proceedings.

3.2. It was therefore prayed that the respondents may be restrained from passing the final findings order till the judgment is pronounced by this Court in the Special Civil Application No.15673 of 2024.

4.1. On the other hand, learned advocate Mr.Ankit Shah appearing for the respondent

Nos.2 and 3 submitted that the respondents have not been restrained from proceeding further with the hearing and accordingly, the respondents are bound to pass an order today i.e. on expiry of twelve months as the case was initiated on 26<sup>th</sup> March, 2024.

4.2. It was therefore submitted that unless and until appropriate order is passed by this Court, the respondents will have no option but to pass the final findings order during the course of the day.

5. Learned Senior Advocate Mr.Pragyan Pradeep Sharma for the respondent No.6 submitted that great prejudice will be caused to the respondent No.6 if the respondents are restrained from passing the final order as the Central Government has also not levied any

provisional anti-dumping duty during the pendency of the petition before this Court.

6. Considering the above submissions, we are of the opinion that if any final findings order is passed by the respondent-Authorities, then the entire petition would be rendered infructuous as the hearing of the petition was already over on 13<sup>th</sup> March, 2025.

7. It also appears from the record that the respondent-Central Government has not implemented the provisional order passed by the Adjudicating Authority in view of the pendency of this petition.

8. We are conscious that the respondent No.6 is facing the prejudice but the respondent-Authority has also not exercised their

discretion in extending the period in view of the provisio to Rule 17(1) of the Rules which reads as under :

*"Provided that the Central Government may, [in its discretion in special circumstances] extend further the aforesaid period of one year by six months."*

9. We are therefore left with no option but to restrain the respondents from passing the final order on the subject matter for four weeks from today.

10. Stand over to **30<sup>th</sup> April, 2025.**

Direct Service through Email is permitted.

**(BHARGAV D. KARIA, J)**

**(D.N.RAY,J)**