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

CNR No. DLHC010429512026

+ **W.P.(C) 13238/2026 & CM APPL. 61576/2026**

APERA TRADERS AND RECYCLERS THROUGH ITS

AUTHORISED SIGNATORY

.....Petitioner

Through: Mr. V.K Bansal, Mr. Chirag Aneja
Mr. Rohit Yadav, Mr. Sahil Yadav,
Mr. Kartik Jindal and Ms. Shreya
Bansal, Advocates

versus

**DIRECTOR GENERAL OF FOREIGN TRADE THROUGH ITS
DIRECTOR GENERAL OF FOREIGN TRADE
& ANR.**

.....Respondents

Through: Mr. Kamendra Mishra, CGSC with
Mr. Krishna Pandey, Mr. Vinod
Kumar, Ms. Parul Mehra, G.P.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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10.09.2026

CM APPL. 61577/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 13238/2026 & CM APPL. 61576/2026

3. By way of the instant petition, the petitioner seeks following reliefs:

“A. Issue an appropriate writ, order or direction, including a Writ of Mandamus, declaring that Trade Notice No.22/2026-27 dated 25.08.2026, particularly paragraph 2(ii) thereof, cannot operate



retrospectively against physical inspections/consignment completed prior to 25.08.2026, PSICs arising therefrom, or consignments which had thereafter been loaded, shipped or were already in transit or at Indian customs pending clearance pursuant thereto;

- B. Direct Respondent No.1/DGFT to immediately reopen/restore the online PSIC portal functionality for accredited PSIAs to generate and upload PSICs pertaining to physical inspections completed prior to 25.08.2026, within such reasonable transitional period as this Hon'ble Court may prescribe;
 - C. Declare that to the extent Trade Notice No.22/2026-27 is intended to amend the substantive procedure prescribed under the Foreign Trade Policy/Handbook of Procedures, the same cannot acquire such substantive retrospective effect unless the statutory mechanism prescribed under the Foreign Trade (Development and Regulation) Act, 1992 and FTP 2023, including the applicable Public Notice/publication requirements, has been duly complied with;
 - D. Direct Respondent No.1/DGFT to introduce an appropriate authorized post issuance amendment/endorsement mechanism on the PSIC portal permitting, subject to verification and production of prescribed documents, legitimate changes in buyer/importer/ consignee particulars arising from High Seas Sale transactions, split Bills of Lading, change of importer/exporter and change of destination;
 - E. Direct Respondent No 1 to consider petitioner's representation dated 27.08.2026, 31.08.2026, 02.09.2026 and a fourth urgent reminder dated 07.09.2026 attributing to the difficulties in the impugned trade notice and make necessary changes if any as per law..."
4. Issue notice.
5. The learned counsel appearing on advance notice on behalf of respondent no. 1 accepts notice.
6. Briefly stated, the present writ petition under Article 226 challenges Trade Notice No.22/2026-27 dated 25.08.2026, particularly paragraph 2(ii), requiring PSIC issuance only on the date of physical inspection, thereby retrospectively affecting completed inspections and consignments already



stuffed, sealed, loaded or in transit. The procedure is impracticable as final importer/exporter details, weight and Bill of Lading particulars may become available only after loading. It also fails to address High Seas Sales, split Bills of Lading, changes in destination and time-zone differences. Despite representations dated 27.08.2026, 31.08.2026, 02.09.2026 and 07.09.2026, no effective relief has been granted. The Petitioner accordingly challenges the retrospective implementation, absence of prescribed FTP/HBP publication, and seeks consideration of its representations and appropriate transitional measure.

7. This Court has **heard** arguments addressed on behalf of the parties.

8. After hearing learned counsels appearing on behalf of the parties and in view of the issues involved in the instant petition, this Court finds it appropriate to direct that the present petition filed before this Court be treated as a representation on behalf of the petitioner, and the respondents are directed to decide the same, within a period of four weeks from date, under intimation to the petitioner herein.

9. In above terms, the present petition stands disposed of.

10. In case of any further grievance, the petitioner will be at liberty to approach this Court.

11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

SEPTEMBER 10, 2026/ns

VS