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

+ W.P.(C) 979/2016 & C.M.No.4298/2016

AUROBINDO PHARMA LTD.

..... Petitioner

Through Mr.M.P.Devnath with Mr.Yogendra
Aldak, Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through Mr.Arjun Mitra, Advocate for R- 1 to
3.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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08.02.2016

Present writ petition has been filed seeking a direction to the respondent No.2 to act on the pending application of the petitioner (drug manufacturer) and to refund Rs.28,88,02,540/- along with interest.

Petitioner further seeks quashing of letters issued by respondent No.3, by virtue of which, petitioner's refund claim has been rejected. A direction is also sought to respondent No.3 to refund the petitioner's Terminal Excise Duty (TED) which has already been approved.

It has been averred that supply of excisable goods to 100% export oriented units is entitled to TED refund and para 8 of Foreign Trade Policy (FTP) states that deemed exports will be eligible for refund of TED.

Learned counsel for petitioner states that the request for refund of TED of other similarly placed manufacturers has already been granted.

A perusal of the paper book reveals that petitioner's representation dated 4th September, 2015 (at page 45) has not been decided till date.

Consequently, the present writ petition is disposed of with a direction to respondent no.2 to decide the petitioner's representation dated 4th September, 2015 in accordance with law within a period of 12 weeks.

With the aforesaid direction, the present writ petition and the application stand disposed of.

MANMOHAN, J

FEBRUARY 08, 2016
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