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

+ **W.P.(C) 1525/2016**

M/S DECLIBAC TECHNOLOGIES PVT LTD Petitioner

Through Mr.R.K.Dey with Mr.Arup Banerjee
and Mohd. Naved, Advocates.

versus

UNION OF INDIA AND ORS Respondents

Through Ms.Barkha Babbar, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **18.03.2016**

Present writ petition has been filed seeking a direction to respondent nos. 2 to 4 to restore permanent/final status of the approval letter dated 21st December, 2006, and to further direct all formations of Military Engineer Services (MES) to treat the petitioner's products approval as valid.

Learned counsel for the petitioner states that the petitioner's products were given permanent approval in the year 2008.

On the other hand, learned counsel for the respondents, who appears on advance notice, states that there is no concept of permanent approval. She further states that a new Policy dated 5th June, 2015 has been introduced which states that initial product approval is valid only for two years and subsequent renewal for three years has to be obtained. The relevant portion of the letter dated 19th June, 2015 written by the respondent to the petitioner is reproduced

hereinbelow:-

“3. On formulation of policy for approval of CMPT for use in MES vide letter No.43285/CMPT/E2 (Design-2) dt. 15 Apr 2008, initial approval of product is only for two years. That policy has been further superseded by latest policy letter No.A/37696/12-114/Pol/E2W (PPC) dt 05 Jun 2015 which further clarifies that initial approval is for two years and subsequent renewals for three years based on satisfactory performance of the product.

4. In view of the above, M/s Declibac Technologies Pvt Ltd is no longer approved to supply the above products to any MES establishments throughout the country.

5. The firm is requested to apply afresh for approval of its manufactured products at the earliest along with all relevant documents as per checklist attached.”

At this stage, learned counsel for the petitioner states that the petitioner shall apply afresh for approval of its manufactured products within a period of four weeks. In the event, the application is filed within the said period of four weeks, the respondent shall decide the petitioner's representation/application within a further period of four weeks.

With the aforesaid directions, the present writ petition stands disposed of.

MANMOHAN, J

MARCH 18, 2016

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