

\$~26 to 28 & 32

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

W.P.(C) 2874/2016

M/S. ATTIRE DESIGNERS PVT. LTD. Petitioner

Through: Dr. G.K. Sarkar, Ms. Malabika Sarkar
and Mr. Prashant Srivastava, Advs.

Versus

UNION OF INDIA & ANR. Respondents

Through: Mr. Vivekanand Mishra, Adv. for R-1
Mr. Hashmat Nabi, Adv. for R-2/PNB

AND

W.P.(C) 2875/2016

M/S. RBD INTERNATIONAL Petitioner

Through: Dr. G.K. Sarkar, Ms. Malabika Sarkar
and Mr. Prashant Srivastava, Advs.

Versus

UNION OF INDIA & ANR. Respondents

Through: Mr. Vivekanand Mishra, Adv. for R-1
Mr. Hashmat Nabi, Adv. for R-2/PNB

AND

+ W.P.(C) 2876/2016

M/S. HIGH VALUE EXIM PVT LTD. Petitioner

Through: Dr. G.K. Sarkar, Ms. Malabika Sarkar
and Mr. Prashant Srivastava, Advs.

Versus

UNION OF INDIA & ANR. Respondents

Through: Mr. Vivekanand Mishra, Adv. for R-1
Mr. Hashmat Nabi, Adv. for R-2/PNB

AND

W.P.(C) 2900/2016

M/S. GOODONE TRADERS PVT. LTD. Petitioner

Through: Dr. G.K. Sarkar, Ms. Malabika Sarkar
and Mr. Prashant Srivastava, Advs.

Versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr. Vivekanand Mishra, Adv. for R-1
Mr. Hashmat Nabi, Adv. for R-2/PNB

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

%

01.04.2016

CM No.12024/2016 in W.P.(C) No.2874/2016

CM No.12039/2016 in W.P.(C) No.2875/2016

CM No.12041/2016 in W.P.(C) No.2876/2016 &

CM No.12140/2016 in W.P.(C) No.2900/2016 (all for exemption)

1. Allowed, subject to just exceptions.
2. The applications are disposed of.

W.P.(C) No.2874/2016 & CM No.12023/2016 (for interim relief),

W.P.(C) No.2875/2016 & CM No.12038/2016 (for interim relief),

W.P.(C) No.2876/2016 & CM No.12040/2016 (for interim relief) &

W.P.(C) No.2900/2016 & CM No.12139/2016 (for interim relief)

3. All these petitions impugn the action of the respondent No.2 Punjab National Bank (PNB) in each of the petitions of cancelling the Bank Realisation Certificates (BRC) earlier issued with respect to realisation of export proceeds.
4. The counsel for the respondent No.2 PNB appears on advance notice.
5. Both counsels state that these petitions be disposed of in terms of the order dated 3rd March, 2016 in W.P.(C) No.1230/2016 titled *M/s Welldone Exim Pvt. Ltd. Vs. Punjab National Bank*.
6. Accordingly, the petitions are disposed of with the following directions:

(I) The petitioners'/ their representative(s) to appear before the Deputy General Manager (International Banking Division), Punjab National Bank, Head Office, 7, Bhikaji Cama Place, New Delhi on 27th April, 2016 at 1600 hours or on any further / other date (s) as may be fixed / communicated to the counsel for the petitioner, for a personal hearing;

(II) The respondent No.2 PNB shall on or before 31st May, 2016 pass a reasoned order on the representation dated 7th March, 2016 of each of the petitioner.

7. The petitioners, if remains aggrieved, shall have remedies in accordance with law.

8. The counsel for the petitioners seeks stay of cancellation of other BRCs till the decision aforesaid.

9. The counsel for the respondent No.2 PNB states that all the BRCs already stand cancelled.

10. If any of the BRCs have not been cancelled as yet, no cancellation thereof be effected without hearing the petitioner concerned.

RAJIV SAHAI ENDLAW, J.

APRIL 01, 2016

Bs..