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

+ W.P.(C) 9605/2015

M/S SPENTEX INDUSTRIES LTD. & ANR Petitioners

Through: Mr. Kshitiz Karjee, Adv.

Versus

DIRECTOR GENERAL OF FOREIGN TRADE, GOVERNMENT
OF INDIA & ORS Respondents

Through: Mr. Vineet Malhotra with
Mr. Shubhendu Kaushik, Advs. for R-1/DGFT.
Mr. Amit Mahajan, CGSC for UOI.
Mr. Kirtiman Singh, CGSC with Mr. Sumit
Rajput, GP for respondent.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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11.07.2016

1. This petition has been filed challenging the Notification dated 25.09.2013 issued by the Central Government, Ministry of Commerce and Industry amending the Foreign Trade Policy, 2009-14 with regard to benefit of Incremental Export Incentivisation Scheme. The petitioners also seek a direction to the respondents to release the incentive entitlement amounting to Rs.73,26,491/- together with interest in the form of duty credit scrips under Incremental Export Incentivisation Scheme.

2. Though no counter affidavit is filed, it is brought to our notice by Shri Vineet Malhotra, the learned counsel appearing for the respondent No.1 that the issue of limiting the entitlement of the benefit under the Scheme in question has been re-examined by the Directorate General of Foreign Trade

and by Trade Notice No.4/2016 dated 05.05.2016, revised instructions have been issued to the Regional Authorities of DGFT for processing the claims under the Scheme in question.

3. While placing before this court a copy of the said Trade Notice dated 05.05.2016, it is submitted by the learned counsel for the respondent No.1 that the claim of the petitioners would be considered in terms of the instructions issued under the said Trade Notice dated 05.05.2016.

4. A copy of the said Notice dated 05.05.2016 has been furnished to the counsel for the petitioners and the learned counsel has also consented for consideration of the claim of the petitioners in terms of the revised instructions.

5. Accordingly, the writ petition is disposed of with a direction to the respondent No.1 to consider the claim of the petitioners in the light of the instructions issued under the Trade Notice No.4/2016 dated 05.05.2016 and pass an appropriate order in accordance with law within eight weeks from today.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

JULY 11, 2016

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