

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6472 OF 2017

UPL Ltd.

.. Petitioner

v/s.

The Union of India & Ors.

.. Respondents

Mr. Prakash Shah a/w Mr. Prasad Paranjape i/b PDS Legal for the petitioner

Mr. Pradeep S. Jetly a/w Mr. Ashok Verma for the respondent

**CORAM : S.V. GANGAPURWALA &
A.M. BADAR, J.J.**

DATED : 27th JUNE, 2017

P.C.

1. Rule. Rule made returnable forthwith. With the consent of parties taken up for final hearing.

2. We have heard Mr. Shah, learned Counsel for the Petitioner and Mr. Jetly, learned Senior Counsel for the Respondents.

3. The Petitioner assails the deficiency letters both dated 28th September, 2015 issued by the Respondents thereby refusing to give the benefit to the Petitioner of the incentives which is

claimed pursuant to Notification No.43 (RE2013)/2009-14 dated 25th September, 2013.

4. After hearing the learned counsel for the respective parties, we need not record the exhaustive arguments. Suffice it to state that this Court in Writ Petition No.2548 of 2016 has considered the Notification No.43 (RE2013)/2009-14 and had observed that the same would also be covered by the judgment of Division Bench of this Court in Writ Petition No.1750 of 2015, *JSW Steel vs. Union of India & Ors.*, along with Writ Petition No.2122 of 2015, both decided on 25th January, 2016. This Court, thereafter, disposed of the said Writ Petition. In the present Writ Petition also this Court on 17th April, 2017 had adjourned the matter to enable the learned counsel for the Respondents to point out as to how the orders as referred to supra are inapplicable on the facts.

5. Upon hearing Mr.Jetly, learned Senior Counsel for the Respondents, we find that the judgment in *JSW Steel* (supra) would also enure to the benefit of the present Writ Petition and the said Notification relied on is also the subject matter in Writ

Petition No.2548 of 2016. We adopt the same recourse.

6. The Rule is, accordingly, made absolute in terms of the judgment of the Division Bench of this Court in *JSW Steel vs. Union of India & Ors.* (supra).

7. The Respondents shall comply within eight weeks from today. No costs.

(A.M. BADAR, J.)

(S.V. GANGAPURWALA, J.)