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

+ **LPA 345/2016 & CM APPL. NOS. 20731/2016, 43220/2016 & 37058/2017**

PAN PARAG INDIA LTD.

..... Appellants

versus

DIRECTOR GENERAL OF FOREIGN TRADE & ANR. Respondents

LPA 349/2016 & CM APPL. NOS. 20741/2016, 43221/2016 & 36880/2017

KOTHARI PRODUCT LTD.

..... Appellants

versus

DIRECTOR GENERAL OF FOREIGN TRADE & ANR. Respondents

LPA 350/2016 & CM APPL. NOS. 20781/2016, 43222/2016 & 37052/2017

KOTHARI PRODUCT LTD.

..... Appellants

versus

DIRECTOR GENERAL OF FOREIGN TRADE & ANR. Respondents

LPA 351/2016 & CM APPL. NOS. 20784/2016, 43219/2016 & 37053/2017

PAN PARAG INDIA LTD.

..... Appellants

versus

DIRECTOR GENERAL OF FOREIGN TRADE & ANR. Respondents

Through: Mr. Pankaj Bhatia, Mr. Dhruv Surana,
Mr. Nipun Goel & Mr. Ashish
Choudhary, Advocates for appellants
Mr. Saeed Qadri, Ms. Drishti Harpalani,
Advocates for Mr. Aditya Singla, Sr.
Standing Counsel for R-2

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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25.10.2017

The appellant is aggrieved by the judgment of the learned Single Judge, who had upheld the maintainability of notice proposing review

under Section 16 of the Foreign Trade Development Regulation Act, 1992.

Mr. Bhatia, learned counsel appearing on behalf of the appellant urges that after the impugned notice – proposing review was made, the appeal preferred under Section 15(1) of the Act was decided in the appellant/writ petitioner's favour, thus, removing the basis of the original adjudicatory order.

It is urged that as a consequence, the original orders made under Sections 9 and 11, in effect, were merged with the appellate order.

This Court is of the opinion that the argument with respect to maintainability of the review in the light of subsequent developments can be urged before the concerned authority, i.e. the Director General.

In the light of this clarification, learned counsel seeks liberty to withdraw the appeal.

The appeals are, therefore, dismissed as withdrawn.

S. RAVINDRA BHAT, J.

SANJEEV SACHDEVA, J.

OCTOBER 25, 2017
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