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

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Judgment delivered on: 13.02.2017

+ W.P.(C) 6550/2016

M/S YUKTI EXPORT

..... Petitioner

versus

UNION OF INDIA AND ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner :

Dr. G.K. Sarkar, Ms. Malabika Sarkar, Mr. Prashant Srivastava and Mr. Dhruv Sethi, Advocates.

For the Respondents :

Mr. Ravi Prakash with Ms. Nidhi Parashar, Mr. Nitish Gupta and Mr. Farman Ali, Advocates for UOI

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Learned counsel for the respondents has filed a short affidavit in court. The same is taken on record.
2. The petitioner by the present petition has sought a direction to the respondent to issue duty credit scrips to the petitioner for the 19 applications made by the petitioner.
3. The respondents in their counter affidavit have indicated that the duty credit scrips were held up on account of a letter received from the DRI Ahmadabad. It is submitted that further clarification has

been received from the DRI Ahmadabad that there was no direction to withhold issuance of duty credit scrips. It is submitted that Consequent to the clarification received from the DRI Ahmadabad, the respondents have started processing the applications of the petitioner for issuance of duty credit scrips.

4. It is contended that on scrutiny, 11 of the applications have been found to be defective and deficiency letter has been issued to the petitioner and on petitioner's complying with the deficiency letters and curing the defects, the applications shall be processed and if found in order, the duty credit scrips shall be duly issued. It is submitted that rest of the applications are under examination

5. In view of the above submissions of the respondents, the petition is disposed of directing the petitioner to remove the deficiency as pointed out by the respondents. The respondents shall thereafter process the application of the petitioner and if found eligible, issue the duty credit scrips.

6. The affidavit also points out that some of the applications are still under consideration at the pre deficiency notification stage. The respondents are directed to process all the remaining applications within a period of 10 days and point out deficiencies. In case any deficiency is pointed out, the petitioner shall cure the same expeditiously. The petitioner shall also cure the deficiencies as already pointed out in respect of the 11 applications.

7. On petitioner removing the deficiencies, the respondents shall process the applications and issue the duty credit scrips, where eligible, within four weeks. The writ petition is accordingly disposed of in above terms. No order as to cost.

SANJEEV SACHDEVA, J

FEBRUARY 13, 2017

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