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

+ **W.P.(C) 10831/2016**

HAVELLS INDIA LTD

..... Petitioner

Through **Mr. P.C. Patnaik, Advocate.**

versus

UNION OF INDIA AND ORS

..... Respondents

Through **Mr. Kirtiman Singh, CGSC with Mr.
Waize Ali Noor, Advocates.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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22.05.2017

W.P.(C) 10831/2016 & CM No.19442/2017 (for direction)

1. The petitioner, by the present petition, seeks release of the balance 5% duty entitlement consequent to the scheme of the Target Plus under Foreign Trade Policy 2004-09.
2. Learned counsel for the petitioner submits that vide Notification dated 20.02.2006, the benefit was withdrawn with regard to certain products retrospectively. The said Notification withdrawing the benefit was challenged and, ultimately, culminated in an order dated 27.10.2015 from the Supreme Court, whereby, the said Notification was held to be applicable prospectively.
3. Consequent to the judgment of the Supreme Court, a Notification No.6/2015-20 dated 08.05.2017 has been issued.

4. Learned counsel for the petitioner submits that in view of the Notification dated 08.05.2017, issued by the respondents, the petitioner is forthwith entitled to release of the balance 5% of the duty entitlement.
5. In view of the said Notification, learned counsel for the petitioner seeks leave to withdraw the petition with liberty to approach the respondents in terms of the Notification dated 08.05.2017 for processing his claim for release of the balance 5% of the duty entitlement.
6. In view of the above, the writ petition is dismissed as withdrawn with liberty to the petitioner to approach the respondents for release of the balance 5% of the duty entitlement.
7. On petitioner making such an application, the same shall be processed by the respondents in accordance with law as expeditiously as possible.
8. It is clarified that in case the petitioner is aggrieved by any further order, passed by the respondents, he is at liberty to approach this Court in accordance with law.
9. The next date of 08.08.2017 is cancelled.
10. *Dasti* under the signatures of the court Master.

MAY 22, 2017/st

SANJEEV SACHDEVA, J