

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

WRIT PETITION NO. 4633 OF 2018

**Tetra Pak India Pvt. Ltd. } Petitioner
 versus
The Union of India and Ors. } Respondents**

Mr. Prakash Shah with Mr. Jas Sanghvi
i/b. M/s. PDS Legal for the petitioner.

Mr. Shetty with Mr. A. A. Garge for
respondent nos. 1 to 3.

Mr. Pradeep Jetly for respondent no. 4

**CORAM :- S. C. DHARMADHIKARI &
 PRAKASH. D. NAIK, JJ.**

DATED :- APRIL 23, 2018

P.C. :-

1. In the light of the fact that the petitioner has an alternate and equally efficacious remedy of an appeal before the Directorate General of Foreign Trade or Additional Directorate General of Foreign Trade, the writ petition need not be entertained. It is disposed of accordingly.

2. Insofar as the apprehension of the petitioner that future licences would not be granted and that would not enable them to complete the export obligations is concerned, we direct that as and when such applications for issuance of advance licences are

made, they shall be considered independent of this controversy. Merely because an appeal is preferred by the petitioner and that is pending, the said applications need not be kept in abeyance till the disposal of the appeal. All such applications shall be considered on their own merits and appropriate orders be passed as expeditiously as possible and within a period of 10 days of the receipt of such applications.

3. Needless to clarify that we have not expressed any opinion on the factual and legal issues. All contentions are kept open.

(PRAKASH.D.NAIK, J.)

(S.C.DHARMADHIKARI, J.)