

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Writ Petition No.773 of 2009

ORDER:

The petitioner seeks a Writ of Mandamus declaring the Notification dated No.8 (RE 2006) 2004-2009 dated 12.06.2006 issued by the 2nd respondent as ultravires the Foreign Trade (Development and Regulation) Act, 1922 in so far as the Notification gives retrospective effect to amendment made to Foreign Trade Policy, 2004-2009 and consequently declare that the petitioner is entitled to Duty Credit Entitlement Certificate for 2005-2006 under Target Plus Scheme of at 10% of the incremental growth of exports.

2) When the matter came up for hearing, both the learned counsel would submit that the subject matter in the instant Writ Petition is squarely covered by the order of this Court dated 24.02.2016 in Writ Petition No.772/2009 and therefore, this writ petition may also be disposed in terms of the aforesaid covered judgment.

3) Perused the order in W.P.No.772/2009, the subject matter in the instant Writ Petition is covered by the order in W.P.No.772/2009. Accordingly, this Writ Petition is allowed as prayed for and respondents are directed to issue Duty Entitlement Certificate within a period of eight(8) weeks from the date of receipt of a copy of this order. No costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 11.10.2018

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