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

+ W.P.(C) 3633/2018

M/S SHIVNATH RAI HARNARAIN (INDIA)
LTD.

..... Petitioner

Through: Mr Priyadarshi Manish and Ms Anjali
Jha Manish, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr Vinod Diwakar, CGSC with Mr
Vikrant Goyal, GP for R-1 to R-4
UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **24.09.2018**

C.M. No.38923/2018

1. This is an application for early hearing.
2. For the reasons stated in the application, the same is allowed. The petition is taken up for hearing.

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3. The petitioner has filed the present petition, *inter alia*, praying as under:-

“(a) Issue a writ, order or direction in the nature of mandamus to the Respondents to process the application filed by the Petitioner for target plus scheme in respect of exports effected during the licensing year 2005-06;

(b) Issue a writ, order or direction in the nature of mandamus to the Respondents to issue the duty scrips under Target Plus Scheme for the exports effected during the licensing

year 2005-06 as per the mandate of the judgment of Hon'ble Supreme Court in the matter of Director General of Foreign Trade Vs. Kanak Export, reported as (2016) 2 SCC 226.”

4. By a letter dated 26.12.2006, the petitioner has filed an application before the Office of Zonal Director General of Foreign Trade seeking benefits under the Target Plus Scheme. Essentially, the petitioner's grievance is that the said application has not been decided as yet although eleven years have since passed. The learned counsel appearing for the petitioner further states that the issues involved in the application were also considered by the Supreme Court in ***Director General of Foreign Trade v. Kanak Export: (2016) 2 SCC 226***, which was rendered on 27.10.2015. The petitioner states that the petitioner's application is required to be decided in terms of the said decision. The learned counsel appearing for the respondents states that the matter is an old matter and he has instructions to state that the department is reconstructing the file and will process the petitioner's application in accordance with law.
5. In view of the above statement, no further orders are required to be passed except to direct the respondents to complete the exercise as expeditiously as possible and preferably within a period of three months from today.
6. The petition is disposed of in the aforesaid observations.
7. The hearing scheduled on 25.04.2019 is cancelled.

VIBHU BAKHRU, J

SEPTEMBER 24, 2018/MK