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

+ W.P.(C) 692/2018 & CM Appln. No.2977/2018

C.J. INTERNATIONAL HOTELS LIMITED AND ORS.

..... Petitioners

Through Mr. Shiv Sapra, Ms. Pallavi Shali and
Ms. Neha Mehta, Advs.

versus

UNION OF INDIA AND ORS.

..... Respondent

Through Mr. Amit Mahajan, CGSC with Mr.
Olson Nair and Ms. Mehak Bakshi,
Advs. For R 1 to 3.
Mr. Aditya Singla, Sr. Standing
Counsel for R4 & 5 with Mr. Pallav
Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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21.05.2019

1. Mr. Mahajan, the learned counsel appearing for the respondents states that he has instructions that the respondents shall withdraw the recovery notice impugned in the present petition to await the judgment of the Supreme Court in *M/s Cummins Technologies India Pvt. Ltd. v. Union of India and Ors.: SLP(C) No.28830/2017*. It is seen that the issues involved in the said petition relates to whether the SFIS scheme would be applicable to Indian companies selling their services, allegedly, under foreign brands. It is also noticed that apart from the said issue, the petitioner has also raised

other issues in the instant petition including whether the recovery notice, impugned in the present petition, is barred by limitation as being issued beyond the period as specified under Section 16 of the Foreign Trade (Development and Regulation) Act, 1992. However, since the respondents are withdrawing the recovery notice, it is not necessary for this Court to examine the said issues. It is clarified that all contentions of the parties are reserved.

2. The petition and the pending application are disposed of.

VIBHU BAKHRU, J

MAY 21, 2019
DR