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

+ **W.P.(C) 3438/2018**

FRESENIUS KABI ONCOLOGY LIMITED Petitioner

Through Mr Venketa Subramaniam T.R. and
Mr Rahat Bansal, Advocates.

versus

UNION OF INDIA AND ORS. Respondents

Through Mr Arun Bhardwaj, Mr Nikhil Bhardwaj,
Mr Prateek Rai, Advocates for UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **03.04.2019**

1. The petitioner has filed the present petition, *inter alia*, impugning the orders passed by the respondent (DGFT) rejecting the petitioner's application for grant of benefits under the Served from India Scheme (SFIS) on the ground that the petitioner does not have an Indian Brand because the petitioner is 100% subsidiary of Fresenius SE & Co. KGaA, Germany.
2. Mr Arun Bhardwaj, learned counsel appearing for the respondent, on instructions of Mr Amit Sharma, Deputy DGFT, states that the impugned orders be treated as withdrawn and any further action would be taken subject to the decision of the Supreme Court in *M/s Cummins Technologies Indi Pvt. Ltd. v. Union of India & Ors. : Special Leave to Appeal (C) No. 28830/2017*.
3. In view of the aforesaid statement, no further orders are required to be

passed at this stage.

4. The petition is, accordingly, disposed of.

VIBHU BAKHRU, J

APRIL 03, 2019

pkv