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

+ W.P.(C) 5441/2018

SURYA GLOBAL STEEL TUBES LIMITED Petitioner

Through: Mr S. K. Sinha, Advocate.

versus

UNION OF INDIA & ORS Respondents

Through: Mr Jasmeet Singh, CGSC with Mr
Aditya Madaan, Advocate for UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **25.03.2019**

1. The petitioner has filed the present petition, *inter alia*, impugning the order dated 22.11.2016 issued by the Directorate General of Foreign Trade (DGFT), rejecting the petitioner's claim for the Incremental Export Incentivisation Scheme (IEIS) scrips under the IEIS on the ground that the petitioner's claim could not exceed the maximum limit of ₹1 Crore. The petitioner had appealed against the said decision, which was also rejected by an order dated 27.02.2018.
2. It is the petitioner's case that the benefit under the IEIS is not limited to ₹1 Crore only. The only additional condition being that claims in excess of this value are subject to greater scrutiny in terms of the notification issued by respondent no. 1 dated 25.09.2013.
3. Concededly, the said controversy is squarely covered in favour of the petitioner by the decision of the Division Bench of this Court in ***Welldone***

Exim Pvt. Ltd. & Ors. v. Directorate General of Foreign Trade and Ors.:
W.P.(C) 5082, 5091 and 5093 of 2017 decided on 12.04.2018.

4. In view of the above, the present petition is allowed and the impugned orders are set aside. The DGFT is directed to examine the claim made by the petitioner by bearing a greater scrutiny, as required.

5. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

MARCH 25, 2019
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