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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7298 OF 2014**

The New Great Eastern ... Petitioners
Spinning and Weaving Co. Ltd.
and Another.

vs.

The Directorate General of ... Respondents
Foreign Trade, Govt. of India Ministry of
Commerce and Industry and Others

Mr. Vishal Kanade a/w. Ms. Aishwaryajeeta Tawde i/b. M/s. Kanga
& Co. for the Petitioners.

Ms. Shehnaz Bharucha a/w. Mr Vikas Salgia i/b. Mr. A.A.Ansari for
the Respondents.

**CORAM : NITIN JAMDAR AND
GAURI GODSE, JJ.**

DATE : 6 DECEMBER 2022

P.C.:

The only prayer sought in the Petition filed on 25 June 2014
is pending.

*(a) That this Hon'ble Court be pleased to issue a Writ
of Mandamus, or a Writ in the nature of the Writ of
Mandamus or any other appropriate Writ, Order or
direction under Article 226 read with Article 227 of the
Constitution of India calling upon the Respondents to
dispose of the said Appeal in a time bound manner.*

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2. The Petitioner has annexed the endorsement of receipt of copy by the Directorate General of Foreign Trade dated 12 December 2011. Learned counsel for the Petitioner states that even today no communication has been received from the Directorate General of Foreign Trade as regards the appeal filed. Learned counsel for the Petitioner states that pursuant to information received under the Right to Information Act there appears to be an issue regarding the exact department of the Government of India who would hear the appeal. However, nothing is communicated to the Petitioner.

3. Once the appeal is filed as far back as 2011, the least Directorate General of Foreign Trade would do is to communicate to the Petitioner the date of hearing of the appeal or if the appeal cannot be considered by the Directorate General of Foreign Trade return the appeal for presentation to the proper department. Since nothing is done till date as informed by the learned counsel for the Petitioner directions will have to be issued.

4. Accordingly we dispose of the Petition as under :

(a) Respondent No. 1-Directorate General of Foreign Trade to issue communication to the Petitioner as regards the appeal filed by the Petitioner details of which are found in Exhibit-A as to the status thereof.

(b) If the Appeal is not to be presented before the Respondent No. 1-Directorate General of Foreign Trade, it be returned to the Petitioner so that the Petitioner can present it before the appropriate department.

(c) If the Appeal pertains to the Respondent No. 1- Directorate General of Foreign Trade then we expect the Directorate General to take early decision in the appeal, keeping in mind that the appeal is pending since the year 2011, preferably, within a period of three months from today.

5. Writ Petition is accordingly disposed of in the above terms.

(GAURI GODSE, J.)

(NITIN JAMDAR, J.)