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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 2206 OF 2005

M/s. Metal Plast Exim (India) Pvt. Ltd.
and Anr.

....Petitioners

V/s.

Union of India and Ors.

...Respondents

Mr. Bharat Raichandani a/w Mr. Rishabh Jain i/b UBR Legal for Petitioners.
Mr. P.S. Jetly, Senior Advocate a/w Mr. J.B. Mishra for Respondents.

**CORAM : K.R. SHRIRAM &
PRITHVIRAJ K. CHAVAN, JJ.
DATED : 10th JUNE, 2022**

P.C. :

1. Heard Mr. Raichandani and also Mr. Jetly.
2. Mr. Jetly as an officer of the court in fairness agreed that records do indicate that there is an order passed by appellate authority in favour of petitioner and also by the Redressal Committee of the Ministry of Commerce. Respondent No.3 has to implement the order. In the circumstances, petition is allowed in terms of prayer clause – (a) which reads as under :

(a) This Hon'ble Court, be pleased to issue a Writ of Mandamus, or a writ in the nature of mandamus or any other appropriate writ, order or direction under Article 226 of the Constitution of India directing the Respondent No.3 to forthwith fully implement the Order dated 18th August, 2004 being Exhibit A hereto completely by allowing the adjustment of DTA sales made in 2001-02 and 2002-03 with regard to exports in years 2001-02 and 2002-03.

3. Respondent No.3 or the office as the case may be, shall implement the order dated 18th August, 2004 and pass the necessary orders/directions and also address a communication to that effect to petitioner within eight weeks from today.

4. Petition disposed with no order as to costs.

5. All to act on authenticated copy of this order.

(PRITHVIRAJ K. CHAVAN, J.)

(K.R. SHRIRAM, J.)