

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2487 OF 2023

Indian Sugar Exim Corporation Ltd. ... Petitioner
vs.
Union of India and Ors. ... Respondents

Mr. Makrand Joshi i/b Anand Akut & Association for Petitioner.
Mr. Subir Kumar with Mr. Syed Ahmed for Respondents No. 1 & 2.

**CORAM : NITIN JAMDAR AND
ABHAY AHUJA, JJ.**

DATE : 28 FEBRUARY 2023

P.C. :

. Petitioner is aggrieved by the communication dated 15 November 2022 directing the Petitioner to refund the ineligible amount stated to be availed of by the Petitioner under Remission of Duties and Taxes on Exported Products (RoDTEP) Scheme with interest within fifteen days.

2 Learned Counsel for the Petitioner contended that there was no opportunity given before issuance of these directions to the Petitioner to explain that the benefit was not wrongly availed of.

3 The matter was kept today for the learned Counsel for the Respondents to take instructions. Learned Counsel for the

Respondents states that though the communication dated 15 November 2022 states so, Petitioner is called in the office to explain and would be given an opportunity before final order is passed.

4 In view of this statement, learned Counsel for the Petitioner states that the petition stands worked out.

5 Needless to state that if any action is taken against the Petitioner, it is open to the Petitioner to take appropriate steps as may be available in law.

(ABHAY AHUJA, J.)

(NITIN JAMDAR, J.)

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