

OD -2

ORDER SHEET

WPO/391/2024
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

CROWN INTERNATIONAL AND ORS.
VS
UNION OF INDIA AND ORS.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 9th July, 2024.

Appearance:
Mr. Mainak Bose, Adv.
Mr. Neeraj Kumar Pandey, Adv.
Mr. S.M. Akhter, Adv.
...For the Petitioners

Mr. Ashoke Kumar Chakraborty, Ld. ASGI
Mr. Kumar Jyoti Tewari, Adv.
Mr. Tirtha Pati Acharyya, Adv.
... for the Respondents

The Court: The petitioners deal in export. Petitioners submit that certain incentives under the Foreign Trade Policy 2009-2014 were payable to them on the basis of incremental exports. The said claim of the petitioners is pending since long before the Competent Authority. The Authority has not decided the matter as yet.

Learned Additional Solicitor General submits that the petitioners were called upon to furnish necessary documents in terms of the Scheme so that the matter could be processed. It is submitted that the petitioners expressed their

inability to furnish any further documents and particulars. Thus, the matter could not be disposed of.

Having heard the learned counsel for the respective parties, this Court is of the view that the respondent no. 3, before whom the claim of the petitioners is allegedly pending, should dispose of the said claim on the basis of the documents already available. The Authority shall assign reasons if the petitioner is not entitled to the benefit under the scheme. If the authority deems fit that the petitioners may be allowed the incentive, either fully or partially, necessary orders shall be passed directing payment. In either case, a reasoned order shall be passed and communicated to the petitioners. The entire exercise shall be completed within a period of two months from the date of communication of this order.

It is made clear that if the petitioners wish to file additional documents as called upon to do so, they may provide the same to the Authority within a week from date.

WPO 391 of 2024 is disposed of.

All parties are to act on the basis of server copy of the order.

(SHAMPA SARKAR, J.)

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