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

+ **W.P.(C) 15630/2024 & CM APPL. 65587/2024**

NI-MET METALS INC

.....Petitioner

Through: **Mr. Chirag Aneja, Advocate.**

versus

DIRECTOR GENERAL OF FOREIGN TRADE & ANR.

.....Respondents

Through: **Mr. Kaushal Jeet Kait, Advocate.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

13.11.2024

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1. The Petitioner, a foreign company having its registered office in Canada, is a Pre-Shipment Inspection Agency¹ which was initially authorised by the Respondent – Directorate General of Foreign Trade² to conduct global inspections of metallic scrap, so as to ensure compliance with safety and environmental standards. This initial authorization was valid up till 27th December, 2023 and was subsequently extended till 31st march, 2024.

2. On 5th January, 2024, the Petitioner applied for renewal of their PSIA status by submitting an application on the online portal of the Respondent – DGFT, but faced difficulties. In this regard, it is pointed out that on 18th June, 2024, the Petitioner received a deficiency notice from DGFT indicating the deficient application fee of USD 250/-.

¹ “PSIA”



3. In response to the deficiency notice, the Petitioner submitted a Demand Draft³ dated 28th August, 2024 for USD 250/-, through courier. However, since there was no response was received from DGFT, on 18th September, 2024, the Petitioner submitted another DD of INR 21,000/-, which is the equivalent amount of the application fee in Indian Rupees. This time the Petitioner submitted the DD to DGFT in person and the same was also acknowledged.

4. However, despite completing all the necessary formalities, the Petitioner's application has not been processed, constraining them to file the instant writ petition seeking a mandamus to the Respondent – DGFT to process Petitioner's application for renewal of their PSIA status.

5. At the outset, Mr. Chirag Aneja, counsel for Petitioner states that subsequent to the filing of the writ petition, the Petitioner has been able to successfully submit their online application and e-payment receipt for such submission has also been generated by the online portal of DGFT. In this regard, Mr. Kaushal Jeet Kait, counsel representing DGFT, states that the Petitioner's application shall now be processed within a period of two weeks from today, in accordance with law. The above statement is taken on record and shall bind the Respondent.

6. In light of the above development and the stand of the Respondent, they are directed to process the application of the Petitioner as per the timelines specified. It is further directed that since the Petitioner has duly made the payment of the application fees of INR 21,000/- along with online submission, the earlier DDs deposited by the Petitioner with DGFT shall be

² "DGFT"

³ "DD"



returned/ refunded to them.

7. All rights and contentions of parties are reserved.

8. With the above directions, the present writ petition is disposed of, along with pending application.

SANJEEV NARULA, J

NOVEMBER 13, 2024

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