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

+ **W.P.(C) 15758/2024 & CM APPL. 66144/2024**

SMV INTERNATIONAL INC

.....Petitioner

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

versus

DIRECTOR GENERAL OF FOREIGN TRADE AND ANR

.....Respondents

Through: **Mr. P. S. Singh, CGSC with Mr. Praneet Kumar, Mr. Bhuvan Chandra, Ms. Simran Singh, Mr. Akhil Anand, Mr. Vishnu Mohan Jha and Ms. Annu Singh, Advocates and Mr. Sanjay Pal, GP for UOI.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

13.11.2024

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1. Petitioner, a recognised Pre-Shipment Inspection Agency,¹ had submitted a bank guarantee² bearing BG No. 0171BGFD002417 for INR 10 lakhs with the Director General of Foreign Trade³ as part of initial PSIA authorisation requirement. The validity of the said BG was extended up to 1st January, 2027.

2. Subsequently, through application dated 11th September, 2024, Petitioner informed DGFT that they had converted their status from

¹“PSIA”

² “BG”

³ “DGFT”



proprietorship to a partnership firm. Accordingly, a new BG bearing No. LOBG21522406074 for INR 10 lakhs was submitted with validity of 6th September, 2027 and through the said application, Petitioner requested for return of the BG initially submitted. The petition is accompanied by communication dated 17th September, 2024 wherein the Petitioner has made a request for return of BG, which was followed up by a reminder letter dated 25th September, 2024; however, no response has been forthcoming.

3. In light of the foregoing, the present petition is disposed of with a direction to Respondents to take appropriate action on the afore-noted two communications within four weeks from today.

4. All rights and contentions of parties are reserved.

5. In the event the Respondent No. 1 does not comply with the afore-noted directions or deny the refund/ return of the BG, Petitioner shall be at liberty to take recourse to the appropriate legal remedies, in accordance with law.

6. Disposed of, along with pending application.

SANJEEV NARULA, J

NOVEMBER 13, 2024

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