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

WRIT PETITION NO. 5960 OF 2025

M/s. Global Health Care Products ... Petitioner

Versus

Union of India And Ors. ... Respondents

Mr. Bharat Raichandani (through Video-Conferencing) a/w
Mr. Mahesh Raichandani, Ms. Dhanistha Kawale i/b UBR
Legal Advocates, for Petitioner.

Ms. Mamta Omle i/b Adv. Jaymala Ostwal, for Respondent
No.2.

**CORAM : M.S. Sonak &
Advait M. Sethna, JJ.**

DATED : 23 September 2025

ORDER:- (Per M.S. Sonak, J.)

1. Heard Mr. Raichandani for the Petitioner and Ms. Mamta Omle for the Respondent No.2.

2. Rule. The Rule is made returnable immediately at the request of and with the consent of the learned Counsel for the parties.

3. The Petitioner challenges order dated 14 March 2023 made by the Revisional Authority dismissing the Petitioner's revision on the ground that the Petitioner failed to produce original documents before the original authority.

4. Mr. Raichandani submitted that this is a matter where exports were never disputed. He submitted that there is no requirement of producing original documents. He submitted that photocopies were produced and there was no allegation about any fabrication. Accordingly, he submitted that the Revisional Authority could not have refused to even investigate these documents and dismiss the Petitioner's Revision Application. He relied upon *Kaizen Plastomould Pvt. Ltd. V/s. Union of India*¹, *Zandu Chemicals V/s. Union of India*² and *UM Cables Limited V/s. Union of India*³.

5. Mr. Raichandani submitted that in this case the adjudication took place during the COVID pandemic. He, therefore, submitted that it was not possible to trace the original documents and produce the same. Even this explanation has not been considered by the Revisional Authority.

6. Ms Omle, the learned counsel for the Respondent, defended the impugned order based on the reasoning reflected therein. She pointed out that, admittedly, no original documents were produced, and consequently, there was no case made out to interfere with the impugned order.

7. We have considered the rival contentions, and we are satisfied that the Revisional Authority should have at least considered the Petitioner's pleas regards the photocopied

¹ 2015 (330) E.L.T. 40 (Bom.)

² 2015 (315) E.L.T. 520 (Bom.)

³ 2013 (293) E.L.T. 641 (Bom.)

documents. Neither this plea nor the Petitioner's contention that no originals are required to be produced has been considered. The decisions now cited by the Petitioner have also not been considered by the Revisional Authority.

8. Therefore, at this stage, though we do not propose to decide all the contentions raised by and on the behalf of the Petitioner, we think that these contentions should have been considered by the Revisional Authority and some decisions be reached on such contentions.

9. Accordingly, we set aside the impugned order dated 14 March 2023 and remand the matter to the Revisional Authority for fresh disposal of the Petitioner's Revision Application, in accordance with law and on its own merits. This time, the Revisional Authority must address all the Petitioner's contentions and deal with all the decisions that the Petitioner may choose to rely on.

10. All contentions of the parties, however, remain open for the decision of the Revisional Authority, as we have not examined the matter on its merits.

11. The rule is made absolute in the above terms. No costs. All concerned are to act on an authenticated copy of this order.

(Advait M. Sethna, J)

(M.S. Sonak, J)