

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

WRIT PETITION NO. 6074 OF 2024

Axiom Cordages Ltd.

.. Petitioner

Versus

The Union of India & Ors.

.. Respondents

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Mr. Prakash D. Shah, Senior Advocate a/w Mr. Mihir Mehta
i/b PDS Legal, Advocates for the Petitioner.

Mr. Jitendra B. Mishra a/w Mr. Ashutosh Mishra, Mr. Rupesh
Dubey and Suman Kotian, Advocates for the Respondent.

**CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.**

DATE: APRIL 30, 2025

P. C.

1. The above Petition was disposed off by an Order dated 21st January 2025 setting aside the impugned Order dated 29th January 2024 and directing Respondent No.3 to allow the 111 applications filed by the Petitioner for grant of scrips under the MEIS during the period June 2017 to August 2020 at the rate of 5% FOB value amounting to Rs. 19,82,06,502/- within a period of 8 weeks from the date of the Order, if otherwise found in Order.

2. Though the Petition was disposed off by the aforesaid Order dated 21st January 2025, it was placed on board for reporting compliance on

18th March 2025. Thereafter, basis the requests made by the Respondents, the time limit for compliance with the above Order dated 21st January 2025 has been extended.

3. It is common ground that the Respondents have processed and allowed 70 applications and 70 scrips are issued to the Petitioner.

4. With regard, to the pending 41 applications, Mr. Mishra has stated, on instructions, that the 39 applications shall be forthwith processed and the scrips would be issued at the earliest and not later than 7 days from the date of this Order.

5. Mr. Mishra further stated that 2 applications viz. File No. 27/21/090/51914/AM22 dated 29.12.2021 and File No. 27/21/090/51915/AM22 dated 29.12.2021 are filed beyond the prescribed period and hence, are barred by limitation.

6. *Per Contra*, Mr. Shah, the learned Senior Advocate for the Petitioner, submitted that in respect of two applications referred to above, due to the delay in uploading of some of the Bank Realization Certificates (e-BRCs) by the bankers of the Petitioner on the DGFT portal, there was delay in

filing few of the MEIS applications. Accordingly, the Petitioner had approached the Policy Relaxation Committee of the DGFT to condone the delay in filing of the applications for reasons beyond the control of the Petitioner. The application filed by the Petitioner was considered by the Policy Relaxation Committee (“PRC”) in its meeting held on 01.10.2018. The minutes of the said meeting were uploaded on the DGFT portal on 18.10.2018. In the said meeting, considering the problem faced by the Petitioner, the PRC allowed the MEIS benefit for those shipping bills whose realization was within 3 years from the date of export and the e-BRCs have been uploaded by the bank after the expiry of three years from the date of export.

7. According to Mr. Shah, vide email dated 24th April 2025 issued by the Learned Assistant Development Commissioner, office of Respondent no. 3, it is clear that Respondent No. 2 had clarified that in respect of the discrepancy observed on not levying late cut by the system as per Para 9.02 of the Handbook of Procedures, Respondent No. 2 has advised the office of Respondent No. 3 to compute the late cut as applicable and if the applications are filed after two years of time limit, then the scrip shall become time barred.

8. Considering the above submissions of both sides, we direct the Respondents to forthwith allow 39 applications and issue the MEIS scrips in respect thereof to the Petitioner at the earliest and in any case not later than 7 days from today.

9. Further, with regard to the balance 2 applications, we direct the Petitioner to attend the office of Respondent No. 3 on Friday, 02.05.2025 with all the documents pertaining to the said 2 applications referred to in paragraph 5 above and substantiate their claim before Respondent No. 3. Basis the above submissions made by the Petitioner, Respondent No. 3 shall forthwith decide the said applications at the earliest and communicate the decision not later than 06th May 2025.

10. List for compliance on 07th May 2025.

11. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]