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

+ W.P.(C) 1882/2025, CM APPL. 8953/2025 (STAY)

M/S AUROUS JEWELS LLPPetitioner

Through: Mr. Rajat M, Mr. Dharan
Gandhi, Mr. Suprateek Singh &
Mr. Priyanshu, Advs.

versus

DIRECTOR GENERAL OF FOREIGN
TRADE & ORS.

.....Respondents

Through: Mr. Nishant Gautam, CGSC
with Mr. Vardhman Kaushik,
Mr. Vinay Kaushik & Mr.
Vipul Verma, Advs.
Mr. Satya Ranjan SPC with Mr.
Kautilya Birat, GP.
Mr. Aditya Singla, SSC, CBIC
with Mr. Arya Suresh and Ms.
Medha Navani, Advs. for R-2.

34

+ W.P.(C) 1892/2025, CM APPL. 8973/2025 (STAY)

MS ZAR JEWELS PVT LTDPetitioner

Through: Mr. Rajat M, Mr. Dharan
Gandhi, Mr. Suprateek Singh &
Mr. Priyanshu, Advs.

versus

DIRECTOR GENERAL OF FOREIGN
TRADE & ORS.

.....Respondents

Through: Mr. Nishant Gautam, CGSC
with Mr. Vardhman Kaushik,
Mr. Vinay Kaushik & Mr.
Vipul Verma, Advs.
Mr. Piyush Beriwal, Mr. Sanjay



Pal, Mr. Sandip Munian & Ms.
Jyotsna Vyas, Advs. for R-1 &
3.

Mr. Aditya Singla, SSC, CBIC
with Ms. Medha Navani, Adv.
for R-2.

40

+ W.P.(C) 1929/2025, CM APPL. 9044/2025 (STAY)
MS MASTER CHAIN PRIVATE LIMITEDPetitioner

Through: Mr. Rajat M, Mr. Dharan
Gandhi, Mr. Suprateek Singh &
Mr. Priyanshu, Advs.

versus

DIRECTOR GENERAL OF FOREIGN
TRADE & ORS.Respondents

Through: Mr. Nishant Gautam, CGSC
with Mr. Vardhman Kaushik,
Mr. Vinay Kaushik & Mr.
Vipul Verma, Advs.
Mr. Vikram Jetly, SPC, CGSC
with Mr. Sanjay Pal, GP & Ms.
Shrey Jetly, Adv.
Mr. Aditya Singla, SSC, CBIC
with Mr. Arya Suresh and Ms.
Medha Navani, Advs. for R-2.

CORAM:
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

ORDER
14.02.2025

%

CM APPL. 8954/2025 - Ex(filing certified copy etc.) & CM APPL.
8955/2025 - Ex(filing lengthy synopsis and list of dates) in W.P.(C)
1882/2025
CM APPL. 8974/2025 - Ex(filing certified copy etc.) & CM APPL.
8975/2025 - Ex(filing lengthy synopsis and list of dates) in W.P.(C)
1892/2025
CM APPL. 9045/2025 - Ex(filing certified copy etc.) & CM APPL.



9046/2025 - Ex(filing lengthy synopsis and list of dates) in W.P.(C) 1929/2025

Allowed, subject to all just exceptions.

The applications stand disposed of.

CM APPL. 8953/2025 (STAY) in W.P.(C) 1882/2025

CM APPL. 8973/2025 (STAY) in W.P.(C) 1892/2025

CM APPL. 9044/2025 (STAY) in W.P.(C) 1929/2025

1. These applications have been filed under Section 151 of Code of Civil Procedure praying for the following reliefs:

“It is, therefore, most respectfully prayed that this Hon'ble Court may be pleased:

(a) that pending the hearing and final disposal of the present petition, this Hon'ble Court may be pleased to stay the operation of the Para 7 of Minutes of the Meeting held on 15/04/2024 which provides for mid-term review of Tariff Rate Quotas (Annexure P-7), Email dated 13/11/2024 received from Respondent No.1 intimating revision of TRQs (Annexure P-13), Para 6 of the Minutes of the Meeting held on 08/11/2024 (Annexure P-12),

(b) For such further and other reliefs, as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case.”

2. We have been informed that, while hearing matters arising from similar factual matrix, this Court issued directions in W.P.(C) 138/2025 and other connected matters. The order dated 09.01.2025 passed by this Court in the aforesaid writ petition, reads as under:

“6. The petitioners had applied for the TRQ in CEPA for the import of gold bullion and on the basis of the aforesaid decision/meeting, the petitioners were issued a certificate/license with validity up to 31.03.2025.

7. Subsequently, in terms of paragraph no. 7 of the Minutes of the aforesaid Meeting, the respondents held a mid-year review of allocation of bullion TRQ under CEPA for FY 2024-25. In the said Minutes, the committee reviewed and revised the original TRQ on the basis of the utilisation records of the previously allocated TRQs (FY 2024-25) and decided as under:

8. It is submitted by the counsel on behalf of the petitioners that based on their respective utilization records available with the DGST, quantity



allocated to them was reduced by half (to 50%) of the original allocation. The petitioners were also directed to not make imports beyond the revised reduced quantity.

9. It is averred in the petition that the aforesaid decision is unreasonable and arbitrary because firstly, the said decision was taken without granting an opportunity of hearing to the petitioner and without a sufficient prior notice and secondly since criteria for revising the TRQ allocation were never communicated to the petitioners, they had no basis to anticipate that their imports are required to be aligned with the criteria subsequently laid down in the Minutes of the Meeting dated 08.11.2024 . Further, it is averred in the petitions that the paragraph 7 of the Minutes of Meeting held on 15.04.2024 which provided for the review of TRQs and paragraph 6 of the Minutes of Meeting dated 08.11.2024 which reviewed and revised the allocated TRQs are without jurisdiction and in excess of authority of the respondent no.1 because any revision before the expiry period of licence is in contravention to the provisions of the Foreign Trade (Development & Regulation) Act, 1992, Foreign Trade (Regulation) Rules, 1993 and the procedures prescribed in the Handbook of Procedures, 2023 dated 01.04.2023(notified vide public notice no. 1 of 2023).

12. In the circumstances, the present writ petitions are also disposed of in terms of the aforesaid directions as contained in the order dated 05.12.2024 in W.P.(C) 16809/2024 and other connected matters. The petitioners are directed to file an application for review before the DGFT within one week from today whereupon the DGFT shall examine all the issues raised by the petitioners in the present petitions and issue fresh orders/directions, within a period of three weeks thereafter.

13. Further, the current allocations shall be maintained during the pendency of the above exercise.

14. Needless to say, the views expressed by this Court are of a prima facie nature and nothing in this order shall be construed as an expression of this Court on the merits of the respective contentions of the parties. The respondents shall also examine each case on its own merits and take a fresh decision, in accordance with law. 15. In the event that the respondents are inclined to accept the petitioners' requests, the DGFT may introduce additional conditions to ensure that the petitioners comply with the TRQ allocation and carry out the imports, in accordance with law."

3. The said position is not disputed by the Respondents.
4. In these circumstances, the present Writ Petitions, along with these applications, are disposed of in terms of the aforesaid directions as contained in the order dated 09.01.2025 in W.P.(C) 138/2025 and



other connected matters.

HARISH VAIDYANATHAN SHANKAR, J.
FEBRUARY 14, 2025/v