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

+ **CONT.CAS(C) 414/2025**

NI-MET METALS INC THROUGH SPA IKRAM KHAN

.....Petitioner

Through: Mr. Chirag Aneja Advocate

versus

DIRECTOR GENERAL OF FOREIGN TRADE & ANR.

.....Respondents

Through: Ms. Radhika Bishwajit Dubey,
CGSC with Ms. Gurveen Kaur Mr.
Kritarth Upadhyay Mr. Manav
Sharma, Advs. for UOI

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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19.03.2025

CM APPL. 16039/2025 (*Exemption*)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CONT.CAS(C) 414/2025

1. This petition has been filed alleging wilful disobedience of order dated 23rd December 2024, passed in ***W.P.(C) No.17801/2024***. By the said order, the Court had directed the application seeking renewal of Pre-Shipment Inspection Agency (***PSIA***) status by petitioner be processed within a period of four weeks.
2. The objection that had been taken by the Director General of Foreign Trade (***DGFT***)/ respondent to the application was that the SPA of petitioner was one *Mr. Dinesh Aneja*, who was also proprietor of *SMV International Inc.*



(another PSIA).

3. *SMV International* had been issued a show-cause notice for a series of irregularities. The Court had, however, stated that *Mr. Dinesh Aneja* being the SPA of petitioner could not be sustained as a valid objection, and therefore, the direction had been given.

4. Thereafter, it transpired that respondent issued a letter demanding numerous documents from petitioner, stating that they were required under the order of 26th Inter-Ministerial Committee (*IMC*) Meeting for December 2024.

5. The said documents were provided on 12th February 2025, but the renewal application has still not been decided.

6. Counsel for DGFT appears on advance notice and states that, *firstly*, the petitioner's application has been deferred and not rejected; *secondly*, the documents sought from petitioner are required as per their own regulations and requirements, considering that the PSIAs deal with hazardous materials, including radioactive substances and explosives, which enter the country as scrap material, hence, DGFT has to be extremely careful in processing any application; *thirdly*, the decision is taken by the IMC, which is now slated to meet in May/June 2025.

7. Considering these submissions, the following directions are being issued:

- i. DGFT shall provide a tabulation of documents that, in their view, are still deficient and required from the petitioner. The said tabulation shall indicate specific requirements so that there is complete clarity for petitioner to supply the documents. This tabulation shall be provided within 2 weeks.
- ii. Against each request for documentation, justification shall be



provided by DGFT specifying the regulation / rule / decision of IMC/policy under which the same are required.

- iii. The said documents shall be made available by petitioner and supplied to DGFT within the next 2 weeks of receipt of the tabulation.
 - iv. Decision by IMC shall be taken at the earliest possible opportunity.
8. It is clarified that none of the above observations/directions relate to the merits of petitioner's application.
 9. The petition stands disposed of with these directions.
 10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MARCH 19, 2025/sm/tk