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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2513/2002

AMITY INTERNATIONAL

.....Petitioner

Through: Ms. Sonia Mathur, Sr. Adv. with Mr.
Sushil Kr. Dubey, Ms. Shubhi
Bhardwaj, Advs.

versus

UOI & ORS.

.....Respondents

Through: Ms. Pratima N. Lakra, CGSC with
Mr. Satya Prakash Saini, Mr.
Chandan Prajapati, Advs.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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14.01.2025

1. This matter pertains to the year 2002.
2. The grievance of the Petitioner as articulated in the present Petition is with a communication dated 29.01.2002 [hereinafter referred to as "Impugned Order"] which was issued by the Respondent No.2 rejecting an application for Value Based Advance Licence applied by the Petitioner.
2. Learned Senior Counsel appearing on behalf of the Petitioner has been briefly heard.
3. It is contended by the learned Senior Counsel for the Petitioner that the Petitioner had applied for Value Based Advance Licence with the authority under Foreign Trade (Development and Regulation) Act, 1992 [hereinafter referred to as 'FTDR Act'] on 12.07.1994. However, the application of the Petitioner was rejected by the Respondent No.4 on 24.08.1994 without assigning any reasons. Subsequently, there are three



other rejections communicated to the Petitioner on 18.09.1995, 17.07.1996 and 26.09.1999.

3. It is the contention of the learned Senior Counsel for the Petitioner that the reasons for rejection were only conveyed for the first time by the office of the Respondent No.2 by order dated 31.07.2001. This order was challenged in an Appeal filed before the Director General of Foreign Trade by the Petitioner and by the Impugned Order, the plea of the Petitioner was not accepted.

4. Learned Senior Counsel for the Petitioner submits that the Impugned Order suffers from several infirmity, in the first instance, the principles of natural justice were not complied with by the Appellate authority. Secondly, the provisions of Section 9 (2) of FTDR Act were also not complied with by the Respondents.

5. A request for accommodation is made by the Respondents to place on record their written submissions.

6. Let the Respondents file their respective written submissions, not exceeding three pages each within one week, along with the compilation of judgments, if any, they wish to rely upon.

6.1 All judgments sought to be relied upon shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of law that it sets forth.

7. List on 24.01.2025.

8. At request of the parties, let this matter be not shown in the category of "For Final Disposal" in the cause list.

TARA VITASTA GANJU, J

JANUARY 14, 2025/jn [Click here to check corrigendum, if any](#)