

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 8224 of 2024****With****R/SPECIAL CIVIL APPLICATION NO. 8618 of 2024****With****R/SPECIAL CIVIL APPLICATION NO. 8924 of 2024****With****R/SPECIAL CIVIL APPLICATION NO. 8728 of 2024****With****R/SPECIAL CIVIL APPLICATION NO. 8690 of 2024****With****R/SPECIAL CIVIL APPLICATION NO. 8725 of 2024****With****R/SPECIAL CIVIL APPLICATION NO. 8781 of 2024****With****R/SPECIAL CIVIL APPLICATION NO. 8614 of 2024**

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M/S BEST VALUE CHEM PVT. LTD. & ORS.**Versus****JOINT DIRECTOR GENERAL OF FOREIGN TRADE & ORS.**

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Appearance:

for the Petitioner(s) No. 2,3,4,5,6

MR MIHIR JOSHI, SR. ADVOCATE WITH MR DHINAL A SHAH(12077) for
the Petitioner(s) No. 1

MR HARSHEEL D SHUKLA(6158) for the Respondent(s) No. 1,2,3

MR NIKUNT K RAVAL(5558) for the Respondent(s) No. 4

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CORAM: HONOURABLE MR. JUSTICE BHARGAV D. KARIA**and****HONOURABLE MR. JUSTICE NIRAL R. MEHTA****Date : 29/07/2024****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE BHARGAV D. KARIA)**

1. Learned senior advocate Mr.Mihir Joshi has tendered the draft amendment. The same is allowed in terms of the draft. To be carried out forthwith.

2. Learned senior advocate Mr.Joshi for the petitioners submitted that the Policy Relaxation Committee (PRC), section of the Directorate General of Foreign Trade (DGFT) held meeting on 25th April, 2024 and the Minutes were drawn.

2.1 Learned senior advocate Mr.Joshi referred to the said Minutes regarding the petitioner to point out that the petitioner had obtained some Advance Authorisation on same ratio of input under Para-4.07 i.e. Self-Ratification Scheme and simultaneously obtained some Authorisations for same products under Para-4.07 by the Norms Committee on the lower side than the applied quantity. It was submitted that RLA directed to pay duty on the excess quantity as per the norms in the matter of Advance Authorisation issued under Para-4.07 also. The petitioner, therefore, requested for conversion of Advance Authorisation issued under Para-4.07 to Para-4.12(vi).

2.2 It was submitted that PRC decided in the said Meeting to refer the case of the petitioner to EGTF Division for its report where the case has been flagged.

2.3 Learned senior advocate Mr.Joshi therefore submitted that if PRC takes decision in the matter, then the entire issue can be resolved.

3. Learned advocate Mr.Harsheel Shukla for the respondent - DGFT prays for time to file reply. Learned advocate Mr.Shukla also submitted that instructions regarding further action, if any, to be taken by the PRC shall also be obtained before the next date of hearing.

Stand over to 21st August, 2024.

(BHARGAV D. KARIA, J)

(NIRAL R. MEHTA,J)

ANUP