

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 16144 of 2020

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M/S AMBIKA CREATION THROUGH PROPRIETOR ANIL GUPTA
Versus
ADDITIONAL DIRECTOR GENERAL

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Appearance:

MR.AVINASH PODDAR(9761) for the Petitioner(s) No. 1
for the Respondent(s) No. 2,3,4,5,6
MR TRUPESH KATHIRIA, AGP ADVANCE COPY SERVED TO
GOVERNMENT PLEADER/PP(99) for the Respondent(s) No. 1

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**CORAM: HONOURABLE MR. JUSTICE J.B.PARDIWALA
and
HONOURABLE MR. JUSTICE ILESH J. VORA**

Date : 16/02/2021

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE J.B.PARDIWALA)

1. By this writ-application under Article-226 of the Constitution of India, the writ-applicant has prayed for the following reliefs:-

48(a) To issue writ of or in the nature of a mandamus or any other appropriate writ, order or direction to respondent no.1, respondent no.2 and respondent no.3 to initiate the proceedings in time bound manner;

(b) To issue writ of or in the nature of a mandamus or any other appropriate writ, order or direction directing respondent no.6 to remove the Import Export Code placed under the Denied Entity List of Directorate General of Foreign Trade.

Or Alternatively

To issue writ of or in the nature of a mandamus or any other appropriate writ, order or direction directing respondent no.6 to complete the investigation and determine the genuineness of the petitioner in time bound manner.

(c) Pending admission, hearing and till final disposal of this petition, be pleased

(A) to direct the Respondent No.1, 2 and 3 from resorting to any coercive measure against the petitioner;

(B) to direct Respondent No.6 to remove IEC from denied list and allow the petitioner to conduct his business under 100% verification by the appropriate authorities.

(d) To award Costs of an incidental to this application be paid by the Respondents.

2. We have heard Mr. Avinash Poddar, the learned counsel appearing for the writ-applicant. Mr. Poddar has invited our attention to a representation dated 26th September 2020 addressed by the writ-applicant to the Joint Director General, DGGI, Zonal Unit Ahmedabad, Ahmedabad.

3. Our attention has also been drawn to one more representation dated 5th November, 2020 at Annexure-Q; Page-68 to this writ-application and has been addressed to the Joint Director General of Foreign Trade, Surat. A copy of which has been forwarded to the Director General of Foreign Trade, New Delhi and Additional Director General, Surat.

4. We dispose of this writ-application with a direction to the Joint Director General, DGGI, Zonal Unit Ahmedabad, Ahmedabad to immediately look into the representation dated 26th September 2020; Annexure-J; Page-46 to this writ-application and take an appropriate decision in accordance with law with a period of four weeks from the date of the receipt of this order. We also direct the Joint Director General of Foreign Trade, Surat to look into the representation dated 5th November, 2020 at Annexure-Q; Page-68 and take an appropriate

decision in accordance with law with a period of four weeks from the date of the receipt of this order.

5. With the afore-said, this writ-application is disposed of. We clarify that we have even otherwise not expressed any opinion on the merits of the case.

(J. B. PARDIWALA, J)

(ILESH J. VORA, J)

A. B. VAGHELA

