

Sr. No.11
Regular List.

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU
(THROUGH VIRTUAL MODE)

WP(C) No.656/2024
CM No.1592/2024

M/S K P PAPER MILLS KATHUA TH S ...Appellant(s)/Petitioner(s)
SARBJEET SINGH

Through: Mr. M.K. Bhardwaj, Sr. Advocate with
Mr. Gagan Kohli, Advocate

Vs.

UNION OF INDIA TH SECRETARY ...Respondent(s)
MINISTRY OF COMMERCE AND
INDUSTRY NEW DELHI AND OTHERS

Through: Ms. Priyasha Gour, Assisting Counsel to
Mr. K.D. S. Kotwal, Dy. AG

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE MOHAMMAD YOUSUF WANI, JUDGE

O R D E R

27-03-2024

01. Heard Mr. M.K. Bhardwaj, learned Senior Counsel assisted by Mr. Gagan Kohli, appearing on behalf of petitioner as also Ms. Priyasha Gour, learned assisting Counsel appearing vice Mr. K.D. S. Kotwal, learned Dy. AG, on behalf of respondents.
02. Considering the nature of the case, we are of the view that this petition can be disposed of at this stage without issuing notice to the respondents.
03. The grievance raised by the petitioner is that the petitioner has established an Industrial unit in the name and style of M/s KP. Paper Mills at Morh Kathua, (J&K) India, for manufacturing papers.
04. According to the petitioner, the petitioner established the said unit in view of various benefits/incentives offered by the Administration of

UT in this regard, including the benefit under the Jammu and Kashmir Industrial Policy 2021-30 notified under Government Order No.117-IND of 2021 dated 19.04.2021. The grievance of the petitioner is that, unfortunately he has not received any such benefit/incentives offered.

05.It has been submitted that the petitioner had submitted a representation dated 09.12.2023 to the authorities for redressal of his grievance, for grant of such benefit/incentives details of which are mentioned in the para 10 of the writ petition. However, the said representation dated 09.12.2023 has not been considered and disposed of by the concerned authorities.

06.Feeing aggrieved by this inaction on part of the respondents, the petitioner has filed the present writ petition for seeking redressal of his grievances.

07.Under the circumstances, we are of the view that it will be more appropriate for the authorities to consider and dispose of the same by assigning the reasons so that the petitioner would be in a position to know the reasons for denial of such benefits/incentives so that he can seek appropriate remedial measures if aggrieved in accordance with law.

08.Accordingly, we dispose of this present petition with a direction to the respondents to consider and dispose of the said representation submitted by the petitioner on 09.12.2023 by issuing a speaking order by assigning reasons in the event, if the authorities are not inclined to grant such benefits/incentives to the petitioner, so as to enable him to approach the competent forum for redressal of his grievances.

09.The aforesaid exercise shall be undertaken expeditiously preferably within a period of six weeks from the date of receipt of a copy of this order by the concerned authority.

10.Disposed of.

(MOHAMMAD YOUSUF WANI)
JUDGE

(N. KOTISWAR SINGH)
CHIEF JUSTICE

SRINAGAR
27-03-2024
Shameem H.

