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

+ **W.P.(C) 505/2015**

SHREE LAKSHMI AGRI-FOODS PVT.

LTD. & ANR

..... Petitioners

Through: Mr. S. Chakraborty, Adv.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC for R1.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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19.01.2015

CM No.864/2015 (condonation of delay of 11 days in filing the petition)

1. This is an application seeking condonation of delay in re-filing the petition. According to the petitioner, there is a delay of 11 days.
2. For the reasons given therein, the application is allowed. The delay is condoned.
3. Application is disposed of.

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4. Issue notice.
5. Mr. Anurag Ahluwalia accepts notice on behalf of respondent No.1. He waives service of notice.
6. Counsel for the petitioners says that he does not wish to file a reply in view of the directions that I propose to pass.

7. Insofar as other respondents are concerned, it is not necessary to notice them at the present juncture; an aspect which would be clear from the directions adverted to hereinafter.

8. It is the case of the petitioners that it set up a rice mill on an assurance that it will be eligible for seeking subsidy under the Credit Linked Capital Subsidy Scheme (hereafter referred as the said scheme).

9. It appears that this scheme was introduced by the Ministry of Micro, Small and Medium Enterprises, for technology upgradation, in October, 2000.

10. According to the petitioners, the scheme has undergone amendments. It is also the case of the petitioners that under the scheme, both subsidy and the loan facilities are to be extended to eligible applicants based on the recommendations of the Prime Lending Institution. The Prime Lending Institution, in this case, is the United Bank of India.

11. It is also averred that since the petitioners' project was eligible under the aforementioned scheme, the United Bank of India, i.e. Prime Lending Institution, entered into a financial assistance agreement with petitioner No.1, on 19.8.2011, on behalf of the Government of India.

12. The petitioners aver that despite the fact that it is eligible under the scheme, no subsidy has been provided to it. According to the petitioners, it is entitled to a subsidy of in the sum of Rs.15 lakhs.

13. The petitioners aver that a representation was made in this behalf on 29.9.2014, which is lying, unattended, with respondent No.1.

14. In these circumstances, the writ petition is disposed of with a direction to respondent no.1 to deliberate upon the representation dated 29.9.2014, as

expeditiously as possible, though not later than eight weeks from today.

15. Respondent No.1 on reaching a decision, will communicate the same to the petitioners within one week of the decision being taken.

16. If the petitioners are aggrieved by the decision of respondent No.1, they will be at liberty to take recourse to an appropriate remedy; albeit in accordance with law.

17. Dasti.

RAJIV SHAKDHER, J

JANUARY 19, 2015

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