

CWP No.10137 of 2016

[1]

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP No.10137 of 2016
Date of decision:18.10.2016**

M/s Sangrur Milk Products Pvt. Ltd. ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. J.S.Toor, Advocate,
for the petitioner.

Mr. Suresh Singla, Addl. A.G., Punjab.

Rakesh Kumar Jain, J.

This petition is filed for seeking a direction to the respondents to release the amount of subsidy to the petitioner, which was sanctioned on 31.10.2000 under the Industrial Policy, 1996.

According to the petitioner, its seniority is at No.4153, whereas the units lower in seniority have already been paid the subsidy.

After notice, the respondents have filed the reply in which it is not denied that the units, which were lower in seniority than the petitioner, have already been paid the subsidy and since the dispute has already been decided on 26.03.2015 by the Supreme Court in the case of **M/s Balak Gases Oxygen Gas Plant and another vs. State of Punjab and others**, SLP(C) Nos.24788-24826 of 2014, that the subsidy shall be paid even to the units which were closed down, therefore, the petitioner shall also be paid the subsidy accordingly.

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Counsel for the petitioner has submitted that since the petitioner is higher in seniority, therefore, appropriate direction may be issued to the respondents that the payment of subsidy be made to the petitioner for which it is waiting for almost 16 years.

After hearing learned counsel for the parties and keeping in view the facts and circumstances, the present petition is hereby allowed and direction is issued to the respondents to release the amount of subsidy to the petitioner within a period of one month from the date of receipt of certified copy of this order.

October 18, 2016
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No