

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2935 OF 2015

M/s Sai Krupa Trades and Service, Latur

..PETITIONER

VERSUS

Union of India and Others

..RESPONDENTS

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Mr. A.N. Irpatgire, Advocate for petitioner.

Mr. K.S. Patil, A.G.P. for respondent – State.

Mr. K.C. Sant, Advocate for respondent no.3.

Mr. S.R. Deshpande, Advocate for respondent no.4.

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**CORAM : S.V. GANGAPURWALA AND
R.G. AVACHAT, JJ.**

DATED : 06th DECEMBER, 2018

ORDER :

Leave to amend the nomenclature of Respondent no.4 – Bank.

2. The learned Counsel for the petitioner prays that Respondent nos. 3 and 4 may kindly be directed to release the subsidy amount to the petitioner alongwith interest under the scheme of Capital Investment Subsidy for construction / renovation of rural godown. The learned Counsel submits that the proposal has been submitted by the petitioner through bank to the NABARD on or about 10th June, 2013. The proposal

of the petitioner is not yet decided. The petitioner has complied with all the requirements such as income certificate of preceeding three years by Tahasildar and sanction of loan. The bank has also forwarded the said income certificate and all the necessary documents to the NABARD.

3. Mr. Deshpande, the learned Counsel for Respondent no.4 – bank submits that the bank has forwarded the income certificate, 7/12 extract, certificate issued by Tahasil Office and the certificate of total land holding by the petitioner are forwarded to the NABARD under letter dated 09th March, 2016.

4. We have also heard Mr. Sant, the learned Counsel for Respondent no.3.

5. The affidavit filed by Respondent no.7 suggests that the proposal of the petitioner is kept in abeyance for non-submission of relevant certificate of Tahasildar showing agricultural income for three years. The bank has placed on record the documents submitted alongwith covering letter to the NABARD, such as income certificate issued by Tahasildar for preceeding three years, the documents issued by the bank

about sanction of loan amount under NABARD scheme of warehouse, 7/12 extract and the certificate of total land holding by the petitioner. The said copy is also given to the learned Counsel for NABARD.

6. In light of the above, Respondent no.3 shall take decision on the proposal submitted by the petitioner for the grant of subsidy as expeditiously as possible and preferably within a period of three months from today. Writ petition is accordingly disposed of. No costs.

(R.G. AVACHAT, J.)

(S.V. GANGAPURWALA, J.)

SSD