

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.10874 of 2018.

Date of Decision: May 03, 2018

M/s Jyoti Agro Industries

.....Petitioner

versus

Allahabad Bank and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SHEKHER DHAWAN.

Present: Mr.Nonish Kumar, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner is a partnership firm and it runs the business of rice Sheller. It has taken a Term Loan from Allahabad Bank to the tune of Rs.60.00 lacs which was sanctioned on 16.09.2016. The claim raised in the instant writ petition by the petitioner-firm pertains to grant of 15% subsidy in the said Term Loan under the 'Credit Linked Capital Subsidy Scheme (CLCSS). It is claimed that the petitioner falls within the ambit of Micro, Small and Medium Enterprises Scheme introduced by Government of India in the year 2005 and is thus entitled to the above-stated subsidy. It is further alleged that though the petitioner fulfills all the eligibility conditions but the respondent-bank, i.e., Allahabad Bank is not forwarding its case to the Ministry of Micro, Small and Medium Enterprises, Union of India, as a result of which the petitioner has not been able to get the due benefit of subsidy.

We find that the above-stated claim has been raised by the petitioner vide a legal notice dated 15.02.2018 (P-8) to which no response has been received from the respondent-bank so far. In this view of the

matter and without expressing any views on the merits of the petitioner's claim, the writ petition is disposed of with a direction to the respondent-bank to verify and decide the above-mentioned claim of the petitioner by way of a reasoned order within a period of two months from the date of receiving a certified copy of this order. Needless to say that if the petitioner-firm is found entitled to, its case for grant of subsidy shall be forwarded to the Competent Authority within the above-stated period.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

May 03, 2018
mohinder

[SHEKHER DHAWAN]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No