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

CWP No.23571 of 2018

Date of decision: September 28, 2018

Satwinder Kaur @ Harwinder Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. PKS Phoolka, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner has prayed for the issuance of a writ in the nature of *certiorari* for quashing the reply-cum-decision dated 08.12.2014.

In brief, the petitioner has allegedly established a dairy farm after obtaining loan from the State Bank of India (respondent no.2 herein) on the recommendations of the Dairy Development Department, Bathinda (respondent no.4 herein). It is submitted that out of the loan amount, a subsidy of ₹4,62,500/- was to be paid by respondent no.4 directly in the loan account of the petitioner. It is further averred that the petitioner was assured that respondent no.2-bank would not charge any interest on the subsidy amount of ₹4,62,500/-. However, respondent no.2-bank started charging interest on the whole amount including the subsidy amount of ₹4,62,500/- and on enquiry, the petitioner came to know that the subsidy amount of ₹4,62,500/- was not paid by respondent no.4 in the loan account of the petitioner maintained with respondent no.2-bank. Later on, the petitioner came to know that respondent no.3-National Bank for Agriculture and Rural Development has refused to release the subsidy.

The petitioner made representation and when it was not decided,

she filed CWP No.20055 of 2014, which was disposed of by this Court on 06.10.2014, with the following order:-

“Learned counsel for the petitioner states that he will be satisfied if notice which he has issued under Annexure P-6 is decided. The same be decided and result of the same be communicated to the petitioner within a period of 8 weeks from the date of receipt of copy of this order.

The writ petition is disposed of with the above direction.

Thereafter, respondent no.4 decided the representation of the petitioner on 08.12.2014 by a detailed order by observing that respondent no.4, through their Inspectors, had repeatedly inspected the premises of the petitioner and found various deficiencies which disentitles the petitioner for grant of subsidy amount.

Counsel for the petitioner has submitted that once the subsidy is promised then it should have been paid by respondent no.4.

After hearing learned counsel for the petitioner and examining the available record, I am of the considered opinion that not only the respondents have rightly rejected the claim of the petitioner but also the petitioner has not come to the Court in time as the impugned order was passed on 08.12.2014, which is sought to be challenged by the petitioner in September, 2018, after a period of about 3 years and 9 months.

Thus, the present writ petition is highly belated and suffers from delay and laches and is dismissed as such on this ground as well.

September 28, 2018
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No