

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

CWP No.9497 of 2018

Date of decision : 20.04.2018

M/s Unitex Steels Private Limited

.....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. T. K. Joshi, Advocate for the petitioner.

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DAYA CHAUDHARY, J. (Oral)

The petitioner has approached this Court by way of filing present petition with the prayer to issue direction to respondents to release the amount of subsidy in view of judgment passed by this Court in case ***CWP No.19007 of 2002*** titled as ***M/s Balak Gases Oxygen Gas Plant and another Vs. State of Punjab and others*** decided on 20.05.2011.

Learned counsel for the petitioner submits that in pursuance of public notice published by respondents and in view of ratio of aforesaid judgment, the necessary details were furnished but still the subsidy has not been released. The controversy in the present case is squarely covered by decision of this Court in CWP No.19007 of 2002.

Admittedly, the petitioner has not made any representation, whereas the prayer in the present petition is for issuance of a writ in the nature of mandamus for direction to respondents to disburse the sanctioned

capital subsidy/investment incentive. However, it has been mentioned in the petition that the necessary details have been submitted by petitioner in pursuance of the notice published by the respondents.

Learned counsel for the petitioner submits that the petitioner would be satisfied in case directions are issued by this Court to respondents to consider the claim of the petitioner by considering his writ petition as representation.

Keeping in view the limited prayer of the petitioner, the present petition is disposed of with a direction to respondent No.2 to consider the claim of the petitioner in view of judgment dated 20.05.2011 passed by this Court in case CWP No.19007 of 2002 and also by considering the fact that the similarly situated persons have been released the amount of subsidy, the same be also released to the petitioner if he is found to be entitled as per scheme applicable to his case and take necessary action in accordance with law within a period of two months from the date of receipt of certified copy of this order.

In case the petitioner is not found to be entitled for the relief sought in the representation/writ petition, a detailed speaking order be passed by giving opportunity of hearing to the petitioner.

20.04.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No