

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

CWP No.9514 of 2018

Date of decision : 20.04.2018

M/s Sant Industries

.....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Nandan Jindal, Advocate for the petitioner.

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DAYA CHAUDHARY, J. (Oral)

The prayer in the present petition is for issuance of a writ in the nature of mandamus directing the respondents to release the assured and sanctioned capital subsidy to the petitioner in view of order dated 20.05.2011 passed in CWP No.19007 of 2002 (Annexure P-5), whereby similarly situated persons/firms have already been released the subsidy.

Learned counsel for the petitioner submits that the claim of the petitioner is squarely covered by the decision of this Court in CWP No.19007 of 2002. The petitioner has served legal notice dated 27.02.2018 (Annexure P-6) upon the respondents, which is still pending. Learned counsel further submits that the petitioner would be satisfied in case directions are issued by this Court to the respondents to take action on the

pending legal notice (Annexure P-6) in view of order dated 20.05.2011 passed in CWP No.19007 of 2002 within some stipulated period.

Notice of motion.

On asking of the Court, Mr. Aditya Sharda, AAG, Punjab accepts notice on behalf of respondents-State of Punjab. Two copies of petition be supplied to him during course of the day.

Keeping in view the limited prayer of the petitioner, respondents No.2 and 3 are directed to take action on legal notice dated 27.02.2018 (Annexure P-6) in view of order dated 20.05.2011 passed in CWP No.19007 of 2002. In case the petitioner is found to be entitled for the relief sought in the legal notice and the other similarly situated persons/firms have been granted the benefits, the same be also granted to the petitioner within a period of two months from the date of receipt of certified copy of this order. In case for any reason, the petitioner is not found to be entitled for the relief sought, then a detailed speaking order be passed after hearing the petitioner.

During hearing of this case while issuing notice of motion, learned State counsel has brought to the notice of this Court that a list has been prepared by the respondent-department and some amount of subsidy is being released as per said list.

In case such list is maintained and the name of the petitioner figures in that list, the claim of the petitioner be considered in accordance with his seniority number in the list. In case any person/firm below to the petitioner in the list has been released the subsidy amount, the petitioner be

also released the subsidy amount.

Disposed of.

20.04.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No