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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 12256/2018

DEEPAK KAPOOR AND CO.

..... Petitioner

Through: Mr Joydeep Saram and Mr Harish,
Advocates.

versus

SMALL INDUSTRIES DEVELOPMENT

BANK OF INDIA AND ANR.

..... Respondents

Through: Mr Sanjeev Sagar and Ms Nazia
Parveen, Advocates for R-1/SIDBI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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16.11.2018

CM No. 47488/2018

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. Issue notice.
4. The learned counsel appearing for respondent no.1 accepts notice.
5. The petitioner is, essentially, aggrieved by non-release of subsidy under the 'Revised Restructured Technology Upgradation Fund Scheme for Textile Industries' (hereafter 'RR-TUFS Scheme') of Government of India.
6. It appears from the averments made in the petition that release of subsidy to the petitioner has been withheld on account of reduction in the quantum of loan, which in turn was occasioned on account of change in the

supplier. It has been explained that the petitioner had changed the supplier for procuring a “High Speed Fully Fashion Knitting Machine” which was otherwise eligible for subsidy under the RR-TUFS Scheme. It is also pointed out that a small amount of subsidy has been released to the petitioner prior to the said change.

7. The learned counsel appearing for respondent no.1 also concurs with the submissions made on behalf of the petitioner that the petitioner is entitled to subsidy, however, the same has to be released by respondent no.2. He states that respondent no.1 has taken steps with respondent no.2 for release of the same as the subsidy has not been released as yet.

8. In view of the aforesaid submissions, this Court considers it apposite to direct respondent no.2 to process the petitioner’s request for release of the subsidy as expeditiously as possible, preferably within a period of eight weeks from today.

9. In the event respondent no.2 requires any clarification from either petitioner or respondent no.1, it shall communicate its queries to the said parties within a period of four weeks of the receipt of this order.

10. In the event respondent no.2 is of the view that the petitioner is not eligible for release of the subsidy or there is some deficiency in the documents supplied by the petitioner, respondent no.2 shall communicate its decision in this regard within a period of eight weeks from today. Needless to state that if the petitioner is aggrieved by any such decision of respondent no.2, it is at liberty to apply.

11. It is clarified that this Court has not expressed any opinion on the

merits of the petitioner's claim for subsidy under the RR-TUFS Scheme and respondent no.2 is not precluded from taking an appropriate view in accordance with law.

12. The petition is, accordingly, disposed of.

13. Order *dasti* under signature of Court Master.

VIBHU BAKHRU, J

NOVEMBER 16, 2018
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