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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6987/2019 & CM Nos. 29111/2019, 29112/2019 & 29113/2019**

**ZUARI AGRO CHEMICALS LIMITED AND
ANR.**

..... Petitioners

Through: Mr Dhruv Mehta, Sr Advocate with
Ms Anushka Sharda and Ms Raveena
Rai, Advocates.

versus

**DEPARTMENT OF FERTILIZERS MINISTRY OF
CHEMICALS AND FERTILIZERS**

..... Respondent

Through: Mr Kirtiman Singh, CGSC.

**CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU**

ORDER

% 03.07.2019

1. The petitioners have filed the present petition, *inter alia*, praying as under:-

“(a) A Writ of Mandamus or any other Writ, Order or direction to the Respondent to consider and pass a reasoned order on the Representations/ letters dated 11.07.2018, 10.05.2018, 12.12.2017 and 27.02.2013 of the Petitioner for release of subsidy of the amount of Rs. 19,58,77,304/- (Rupees Nineteen Crore Fifty Eight Lakhs Seventy Seven Thousand Three Hundred Four) after giving the Petitioners an opportunity to be heard;

(b) In the alternative to prayer (a), to issue a Writ, Order or direction quashing and setting aside the Office Memorandum dated 16 April 2018 bearing No.

23011/12/2017-MPR issued by the Respondent to the extent it retrospectively reduces the rates of subsidy payable for P&K fertilizers received in the district in the months of February and March of the year 2012-2013;

- (c) A Writ, Order or direction to the Respondent to release the Subsidy i.e. Rs. 19,58,77,304/- (Rupees Nineteen Crore Fifty Eight Lakhs Seventy Seven Thousand Three Hundred Four) payable to the Petitioner No.1 under the NBS Policy and Office Memorandum dated 29 March 2012 of Respondent along with the applicable interest.”

2. Mr Mehta, learned senior counsel appearing for the petitioners submits that the petitioners would be satisfied if directions are issued to the respondent to consider the petitioners’ representation and take an informed decision.

3. The controversy in the present case relates to disbursal of fertilizer subsidy for the year 2012-13. It is the petitioner’s grievance that the subsidy for fertiliser that was imported in the month of January, 2013 but could not be transported from the port of importation in that month, has been paid at a lower rate applicable for the subsequent period. The petitioner claims that subsidy on the said quantity of fertilizer is also required to be paid at the rate as prevalent in January, 2013. A representation in this regard has also been made by the petitioner before the concerned authorities.

4. Mr Kirtiman Singh, learned counsel appearing for the respondent states that the said representation would be disposed of within a period of eight weeks from today.

5. In view of the above, no further orders are required to be passed in this petition except to bind down the respondent to the aforesaid statement.

It is, accordingly, directed that the respondent shall dispose of the petitioner's representation within a period of eight weeks after affording the petitioner an opportunity to be heard.

6. The petition is disposed of with the aforesaid observations. The pending applications are also disposed of.

VIBHU BAKHRU, J

JULY 03, 2019

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