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

CWP No. 15249 of 2019
Date of Decision: 12.07.2022

M/s Dhingra Rice and General Mills

-Petitioner

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. C.M. Munjal, Advocate,
for the petitioner.

Mr. C.L. Pawar, Sr. D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

Learned State counsel on instructions from Mr. Ravinder Singh, Superintendent, Industries and Commerce, Punjab submits that needful has already been done in the context of releasing capital subsidy.

The issue with regard to interest is covered by the decision in **CWP No.10230 of 2011** titled 'M/s Thapar Textiles Pvt. Ltd. vs State of Punjab and others' decided on 16.09.2014, **CWP No.35101 of 2019** titled 'M/s Patiala Enterprises vs State of Punjab and others' decided on 09.03.2022, **CWP No.19007 of 2002** titled 'M/s Balak Gases Oxygen Gas Plant and another vs State of Punjab and others' decided on 20.05.2011 being

lead case in bunch of 44 cases. In **CWP No.17028 of 2009** titled 'M/s Ferozshah Agro Pvt. Ltd. vs State of Punjab and others' decided on 19.04.2010, even closed unit was held entitled to subsidy inspite of the fact that it was not in a running condition and stood closed on the date when the amount was to be disbursed. Even the Division Bench of this Court upheld the order of the learned Single Judge that the unit being not in running condition at the time of disbursement cannot be a ground to deny capital incentives as per industrial policy.

In view of aforesaid attending facts and circumstances of the case, I deem it appropriate to dispose of the writ petition thereby entitling the petitioner to interest @ 6.5% per annum from the date of filing of writ petition till the date on which capital subsidy has been granted i.e. 11.07.2022.

Needful be done within a period of two months from today.

12.07.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No