

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

244

CWP-21453-2021

Date of decision: 22.08.2022

M/S HSK ALLOY STEELS LIMITED

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Ajaivir Singh, Advocate
for the petitioners.

Mr. Jatinder Pal Singh, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The instant writ petition has been filed under Article 226/227 of the Constitution of India for the issuance of writ in the nature of Mandamus for directing the respondents to release the investment incentive of Rs. 22.67 lacs as sanctioned vide letter dated 08.06.2001 (Annexure P-1) in accordance with the industrial policy 1996 and also the judgment passed by this Court in CWP No. 19007 of 2002 decided on 20.05.2011.

Learned counsel appearing on behalf of the petitioner points out that the disbursement of the subsidy found due to the petitioner was stopped on the ground that the industrial unit of the petitioner was found to be closed. He contends that the aforesaid issue has already been dealt with by the High Court and the objections of the respondent-department stand negated. He contends that he had already given a legal notice dated 03.11.2019 to the Director, Department of

Industries and Commerce, Govt. of Punjab, 30 Bays Building. He submits that he would be satisfied in case the respondents are directed to decide the legal notice in light of the judgment decided by this Court, that has become final since the SLP against the said judgment already stands dismissed by the Hon'ble Supreme Court.

The aforesaid prayer made by the counsel for the petitioner is not objected to by the learned counsel appearing on behalf of the respondent-State. Accordingly, the present writ petition is disposed of with a direction to the respondent No.2 to look into the legal notice as well as the accompanying precedent judgments of this Court and to take an appropriate decision in accordance with law. A reasoned decision after granting an opportunity of hearing to the petitioner shall be passed within a period of 03 months from the date of receipt of certified copy thereof.

In the event, the claim of the petitioner is found tenable and sustainable, the amount found due to the petitioner shall be released in a further period of 03 months forthwith.

The petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 22, 2022

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No