IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH

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CWP-12185-2018 (O&M)
Date of Decision: 23.01.2023.

M/S TARA TEXTILE 150, INDUSTRIAL COMPLEX, GOINDWAL SAHIB

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

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Present: Mr. Abhinav Jain, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab.

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VINOD S. BHARDWAJ, J. (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India, 1950, for seeking issuance of a writ in the nature of Mandamus directing the respondents to release the sanctioned capital subsidy of Rs.13,95,500/- along with interest @ 6% per annum from the date of its sanction to the petitioner, in terms of similar order and direction dated 20.05.2011 passed by this Court in CWP-19007 of 2002 along with connected petitions and in several other cases annexed as Annexures P-2 to P-6.

Learned counsel for the petitioner contends that that investment subsidy was payable to the petitioner and the same was disbursed to the petitioner after institution of the present petition on 03.07.2019 (Annexure R-1). He further submits that the respondent-Authorities have filed a short reply by way of affidavit of Sibin C., Director of Industries and Commerce, Punjab, however, no valid reason has been given by the respondent-Authorities therein for the inordinate delay in release of the sanctioned investment subsidy to the petitioner. He submits that in such and similar circumstances, this Court has awarded interest at the rate of 6.5% per annum to the petitioner in ***CWP No.35101 of 2019*** titled as ***'M/s Patiala Enterprises Vs. State of Punjab and others'*** decided on ***09.03.2022*** from the date of filing of the petition till actual disbursement of the subsidy.

Learned State Counsel has, however, submitted that the petitioner in the present case has claimed interest at the rate of 6% per annum.

Taking into consideration the order dated 09.03.2022 (supra) and the fact that the capital subsidy has already been released to the petitioner on 03.07.2019 (Annexure R-1), the present petition is disposed of while directing the respondents to pay interest at the rate of 6% per annum from the date of filing of the present petition till actual disbursement of the capital subsidy. The amount of interest, so calculated, shall be released to the petitioner within a period of two months from the date of receipt of certified copy of this order.

Disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

23.01.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No