

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

246

**CWP-35213-2019
Date of Decision: 18.01.2023**

M/S CHOICE PLASTICS

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Vishal Sodhi, Advocate
for the petitioner.

Ms. Niharika Sharma, AAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the respondents to release the sanctioned investment incentive/subsidy of Rs.13,13,500/- alongwith 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 and in several other cases (Annexures P-2 and P-9 to P-12).

Learned counsel for the petitioner contends that that investment incentive/subsidy was payable to the petitioner on 03.08.2000 and the same was disbursed to the petitioner after institution of the present petition on 07.07.2020 (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 incentive/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 07.07.2020 (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.

18.01.2023
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No