

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

205-1

CWP-14377-2018
Date of Decision: 03.05.2024

M/S SUDARSHAN MEDICAL DEVICES

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Ms. Tarranum Madan, Advocate for
Mr. Viren Jain, Advocate for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents to release the assured and sanctioned capital subsidy of Rs.10,57,000/- alongwith interest @ 6% per annum in view of the order dated 20.05.2011 passed by this Court in a bunch of writ petitions including CWP-19007 of 2002 titled M/s Balak Gases Oxygen Gas Plant and another Versus State of Punjab and others.

Learned State Counsel refers to the additional affidavit of Sibin C. Director of Industries & Commerce, Punjab, Chandigarh, wherein an order dated 01.06.2020 had been appended as Annexure R-1 rejecting the claim of the petitioner. She contends that the said order rejecting the claim has not been challenged or assailed by the petitioner in the present petition.

It is evident from a perusal of the order dated 12.01.2024 that counsel for the petitioner had prayed for some time to go through the additional affidavit referred to above.

Considering that a fresh order has already been passed by the respondents while dealing with all the contentions and the claim of the petitioner has been declined, it is imperative that an appropriate petition is required to be filed by the petitioner to challenge the said order.

Faced with the above, learned counsel appearing on behalf of the petitioner seeks withdrawal of the present petition with liberty to the petitioner to take recourse to the appropriate remedy/file a fresh petition on the same cause of action by impugning the subsequent order dated 01.06.2020 (supra).

Learned State Counsel has no objection to the same.

The present petition is accordingly disposed of as not pressed at this stage with the liberty as aforesaid.

MAY 03, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

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