



219-5
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

VATAP-349-2019 (O&M)
Date of Decision: 11.12.2024

M/S SUBHASH CHAND CONTRACTOR, KAITHALAppellant
V/s.

STATE OF HARYANA AND ANOTHERRespondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA.
HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present Ms. Akriti Gupta, Advocate for
Mr. Sandeep Goyal, Advocate for the appellant.

Ms. Mamta Singla Talwar, DAG, Haryana.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The question raised in the present Appeal is no more *res integra* in view of the judgment passed by this Court in VATAP-5-2019 titled as M/s National Steel Tube Vs. State of Haryana and others, decided on 30.07.2024. Therefore, the instant appeal deserves to be dismissed.

2. In M/s National Steel Tube (Supra), we held as under:-

“6. XXXXX
XXXX

7. *Even thereafter, we find that when the recovery notice was issued and served upon the son-Vikash of the widow-Kamlesh Devi, who has been appearing before the Higher Level Screening Committee on 25.06.2008, no steps were taken to prefer an appeal against the withdrawal of the eligibility certificate and it was only after 16 months thereafter that the appeal was preferred. We also noticed that the Haryana Financial Corporation had auctioned the unit way back in 26.12.2005 for recovering its loan and therefore, the consequences were very well known to the appellant after the unit having been already auctioned.*



8. *We are satisfied that there is no purpose of continuing eligibility certificate after the industrial unit itself had been auctioned.*
9. *Keeping in view the above, we are satisfied that the order dated 01.05.2018 does not warrant any interference and accordingly, the same is dismissed.”*

3. Keeping in view that the present industrial unit has been auctioned, we accordingly **dismiss** this Appeal also in the aforesaid terms. The observations and order dated 30.07.2024 passed in VATAP-5-2019 shall apply *mutatis mutandis* to the present case.

4. All pending application stands dismissed accordingly.

[SANJEEV PRAKASH SHARMA]
JUDGE

[SANJAY VASHISTH]
JUDGE

December 11, 2024
Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>