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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 11988/2023**

BHAIRAVESHWARA COOL POINT P LTDPetitioner

Through: Mr. Maninder Singh, Senior
Advocate with Mr. Darpan KM,
Ms. Amrita Sharma, Mr. Rajat
Jonathan Shaw, Mr. Rangasaran
Mohan and Mr. Amarpal Singh Dua,
Advocates.

versus

UNION OF INDIARespondent

Through: Ms. Nidhi Raman, CGSC with
Mr. Zubin Singh, Ms. Rashi Kapoor
and Mr. Akash Mishra, Advocates for
R-1.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
14.11.2024

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1. The Petitioner is a company engaged in the business of refrigeration, cold storages and cold chain. He had applied for financial assistance with the Respondent for setting up of an integrated cold chain and value addition infrastructure under the Pradhan Mantri Kishan Sampada Yojana.¹ According to the Petitioner, despite complying with the eligibility criteria while submitting their application on 08th March, 2019, their application was rejected.
2. The Petitioner states that upon rejection of their application, they

¹ "the Yojana"



approached the Respondent's Committee of Independent Monitors with their representation, to urge their grievance. In this regard, they appeared before the committee on 4th November, 2020. Nonetheless, the Petitioners have not been provided with any decision regarding their representation, after a passage of more than 4 years, despite multiple requests.

3. Mr. Maninder Singh, Senior Counsel for the Petitioner, states that for the purpose of granting subsidy under the Yojana, the proposals submitted by the applicants are awarded scores out of a total of 100 marks, and proposals obtaining a minimum of 60 marks are eligible for consideration of grant-in-aid. Mr. Singh submits that the Petitioner satisfies the minimum marks criteria stipulated in Paragraph No. 11.1(b) of the 'Revised Operational Guidelines of the Scheme for Integrated Cold Chain and Value Addition Infrastructure' dated 18th January, 2019. The Petitioner highlights certain facts, which they seek to present before the Respondent and have accordingly, filed the instant petition seeking a limited relief of issuance of mandamus to the Respondent to grant them a hearing and consider their representation.

4. On the other hand, Ms. Nidhi Raman, counsel for Union of India, states that the Petitioner's case has been considered by the Respondent, but they have been found to be ineligible under the Yojana. To substantiate the same, she places reliance on certain confidential minutes of meeting, copy whereof, has been handed over to Senior Counsel for the Petitioner.

5. Be that as it may, in the opinion of the Court, there should be an official communication with respect to the Petitioner's representation. Accordingly, the present petition is disposed of, with direction to the Respondent to consider the Petitioner's representation dated 11th May, 2023



and give a reasoned order thereto, delineating the bifurcation of the marks awarded to them, within eight weeks from today.

6. With the aforesaid directions, the petition is disposed of.

SANJEEV NARULA, J

NOVEMBER 14, 2024

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