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

+ **W.P.(C) 14746/2023**

M/S ARPAN NUTRITION PRIVATE LIMITED Petitioner

Through: **Md. Farman, Advocate.**

versus

TECHNOLOGY DEVELOPMENT BOARD & ANR.

..... Respondents

Through: **Mr. Shobhit Jain and Mr. Kushal Mittal, Advocates for R-1.**

Ms. Anushka Arora, SPC for R-2.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

30.05.2024

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1. On 15.05.2024, this Court passed the following order:-

“1. The Petitioner has approached this Court challenging notice dated 30.05.2023 issued by Respondent No.1 for termination of recall of loan disbursed to the Petitioner vide a loan agreement dated 04.10.2019.

2. The facts of the case reveals that the Petitioner sought to avail a loan assistance from Respondent No.1 to the tune of Rs.2,33,00,000/- out of total project cost of Rs.4.59 crore for part financing the project called “commercialization of zero erucic mustard oil for nutrition and human health” . The said payment was to be disbursed in four installments. It is stated that the first tranche of loan of Rs.58.25 lakhs has been released by Respondent No.1.

3. Stating that the repayments have not been made by the Petitioner in accordance with the loan agreement and the project is not showing any visible signs of progress and several other grounds, Respondent No.1



has decided to terminate the loan agreement and have sought for the refund. The Petitioner has challenged the said notice by filing the instant writ petition.

4. Material on record also discloses that the Petitioner has given a reply to the said notice on 30.06.2023. It is stated by learned Counsel for the Petitioner that the Petitioner has not received any response.

5. Issue notice to Respondent No.1 limited to inform this Court as to whether the representation of the Petitioner has been considered or not.

6. Let the notice be issued to Respondent No.1 through all permissible modes, including Dasti.

7. List on 28.05.2024 in the supplementary list.

8. Learned Counsel for Respondent No.2 is also requested to inform Respondent No.1 regarding the nature of notice that has been issued and for instructions in this regard.”

2. Learned Counsel for the Respondent has handed over an Order dated 02.07.2023 stating that the reply given by the Petitioner on 30.06.2023 has been considered and has been rejected *vide* Order dated 24.07.2023.

3. In view of the above, the present writ petition has become infructuous.

4. Liberty is granted to the Petitioner to challenge the said communication dated 24.07.2023 by taking steps as available to him in accordance with law.

5. The petition is disposed of along with pending application(s), if any.

6. It is made clear that this Court has not made any observation on the merits of the case.

SUBRAMONIUM PRASAD, J

MAY 30, 2024

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