

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20800 of 2018**

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Jira Devi Cold Storage Private Limited Through Its Managing Director,  
Poonam Singh Wife of Shri Ramesh Kumar Singh Resident of Ramanuj  
Bhawan, Madhuban Colony, Rukunpura, Bailey Road, P.O.- Veterinary  
College, P.S. Rupaspur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Industries Department, Bihar, Patna.
3. Deputy Chairman, CII, Patna. null null
4. Director, Food Processing Department of Industries, Bihar, Patna.
5. Director, Horticulture, Bihar, Patna.
6. Senior Joint Director, Food Processing Department of Industries, Bihar, Patna.
7. Manager, I.L. and F.S. - C.D.I. Ltd., 26B, Patliputra Colony, Patna.
8. Sub-Divisional Officer, Paliganj, Patna.
9. Manager, SBI, Nagwa Branch, Patna.

... .. Respondent/s

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**Appearance :**

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|----------------------|---|--------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Yogendra Mishra, Advocate<br>Mrs. Swati Mishra, Advocate |
| For the State        | : | Mr. Yogendra Pd. Sinha, AAG 7                                |
| For the Bank         | : | Mr. Ajit Pratap Singh, Advocate                              |

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**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA  
CHAKRAVARTHY**

ORAL ORDER

7      09-09-2025

1. The Writ petition is filed for the following reliefs:-

*“(i) An appropriate writ, order  
or direction directing the respondents  
to make payment of amount of  
subsidy as agreed upon and promised  
by the Respondent-State Agency,  
within a time frame, be issued.*

*(ii) An appropriate writ, order  
or direction commanding the  
respondents to fulfill all the promises  
made to the promoter Company to*



*run out the Cold storage, be issued.*

*(iii) Further, prays for issuance of any other appropriate writ/writs, order/orders, direction/ directions and/or relief/reliefs which the petitioner is entitled to in the facts and circumstances of the case.”*

2. The brief facts of the Writ petition is that the first respondent sponsored Food Processing Scheme and invited the investor to make investment in the scheme. The petitioner also applied for the scheme for the sanction of project namely the Cold Storage. The respondents have considered the request and feasibility of the scheme, sanctioned the amount of Rs. 574.83 Lakhs. The project was approved at the meeting dated 11.07.2011 which was also approved by Hon'ble the Chief Minister. The petitioner commenced the work towards the fulfillment of the project and availed loan of Rs. 2 Crores from State Bank of India, of the completed the work up to 75%. As per the Memorandum of Agreement dated 30.12.2013, the respondents were required to contribute the amount of first and second installment of subsidy, but the same was not paid



and the work got stalled. Initially, the petitioner approached the Court by way of filing C.W.J.C. No. 9742 of 2015 for the same relief. However, vide order dated 04.04.2017 the petitioner was allowed to make representation before the respondents. Annexure- 4 of the Writ petition disclose that the petitioner sought relief to withdraw the Writ petition, in order to file representation before the Director, Industries, Bihar, Patna for claim of subsidy. In spite of filing the representation, the respondent did not either passed an order or paid any amount for which the petitioner was constrained to approach this Court for the second round of litigation.

3. Heard the Learned counsel for the petitioner and the Learned counsel for the Respondents.

4. The Respondents-State has not filed its counter affidavit. However, the State Bank of India has filed its counter disclosing the facts that the petitioner has availed loan, and that the subsidy amount was not deposited by the Government in



the account of petitioner. During the course of argument, the Learned counsel for the petitioner contended that the directions may be given to the respondents to dispose of the representation of the petitioner which was pending since 04.01.2018.

5. Therefore, without going into merits of the case, this Court directs respondent no. 4, i.e., Director, Food Processing Department of Industries, Bihar, Patna to dispose of the representation of the petitioner in accordance with law, within two months from the date of receipt of copy of this order.

6. With the aforesaid observation, this Writ petition stands disposed of.

**(G. Anupama Chakravarthy, J)**

Ranjeet/-

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