



CWP-5461-2019

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(212)

CWP-5461-2019

Date of Decision : 23.01.2025

Nar Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Kuldeep Singh, Advocate
for the petitioner.

Mr. Rajesh Gaur, Addl. AG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. The Central Government, has given its approval to a scheme for promotion of "Agricultural Mechanization for in-situ Management of Crop Residue", for motivating the farmers to adopt the scheme, and to purchase equipments/machineries under the scheme, for which the Centre Govt. will provide 80% assistance/subsidy to the farmers, for establishment of Custom Hiring Center (CHC), so that the farmers may not require to burn the straw of their crops, and to stop the pollution.

2. The present petitioner has applied in the above said scheme, and as per the draw held on 27.09.2018, the petitioner was selected as one of the beneficiary.

3. The grievance of the petitioner is that under the scheme (supra), he has purchased three equipments, and the bills thereof, were submitted to the authorities concerned. However, no assistance/subsidy has been released to

him, as on today. He further submits that his claim was not considered, rather,



on account of administrative directions, issued vide letter dated 28.11.2018 (Annexure P-6), the authorities concerned has stopped entertaining the claims/bills. Finally, he submits that despite giving numerous representations, no decision has been taken by the authorities concerned, as on today.

4. Learned counsel for the State has opposed the submissions made by the petitioner, while referring to some of the terms and conditions of the scheme (supra), which disentitles the present petitioner to claim the assistance/subsidy. However, he fairly admits that the competent authorities concerned, as on today, has not passed any order, either declining, or granting the subsidy, in pursuance to the scheme supported by the Central Government.

5. In view of the above, this Court deems it appropriate, at this stage, to pass a mandamus upon the respondent No.2, the competent authority amongst the respondents, to consider the claim of the petitioner, as set up by the petitioner through the instant writ petition, and pass a speaking order after giving an opportunity of hearing to the petitioner. The decision shall thereof, be taken within a period of four month from the date of receipt of certified copy of this order/judgment.

6. It goes without saying that in case, the petitioner fetch any grievance from the order passed by the authorities concerned, he would be at liberty to challenge the same before the apt forum concerned.

7. Consequently, the instant writ petition is **disposed of** with the aforesaid liberty.

(KULDEEP TIWARI)
JUDGE

January 23, 2025
Manpreet