



2025:DHC:1546



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of Decision: 06.03.2025***+ **W.P.(C) 454/2020, CM APPL. 1248/2020****AVEENA MAILK PRODUCTS****.....Petitioner****Through: Mr. Arun Batta, Mr. Abdul V., Advs.****versus****UNION OF INDIA****.....Respondent****Through: Mr. Manish Mohan, CGSC with Mr. Jatin Teotia, Mr. Prakhar Vashisth, Advs.****CORAM:****HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.: (Oral)**1. The present Petition has been *inter alia* seeking the following prayers:

"a. Issue a writ in the nature of certiorari thereby quashing the letter dated 08.11.2019 issued by the Respondent to the Petitioner, whereby the request of the petitioner for release of 3rd and final installment of Grant In Aid of the Cold Chain amounting to Rs.25,000,000/-(Rupees Two Crores Fifty Lakhs Only) in respect of Value Addition and preservation Infrastructure at Village Latifpur Khubbanpur, Bhagwanpur, Haridwar Distt, Uttarakhand has been rejected / denied to the Petitioner.

b. Issue a writ in the nature of mandamus or any other appropriate Writ thereby directing the Respondent to forthwith release third and final installment of the Grant In Aid of the Cold Chain amounting to Rs.25,000,000/-(Rupees Two Crores Fifty Lakhs Only) in respect of Value Addition and preservation Infrastructure at Village Latifpur Khubbanpur, Bhagwanpur, Haridwar Distt, Uttarakhand to the petitioner.

c. Issue any other Order or Direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present matter.

d. Any other further order which this hon'ble court may deem fit and

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proper in the facts and circumstances may also be passed in favour of the petitioner and against respondent Ministry.”

2. In essence what the Petitioner is aggrieved by is the non-grant of his third and final instalment of grant-in-aid of Cold Chain amounting to Rs. 2.5 crores [hereinafter referred to as ‘Grant’]. It is the case of the Petitioner that the Petitioner did apply for the Grant, however, the same was slightly delayed due to unavoidable circumstances. As a result, thereof, the Application for the Grant was rejected. The Petitioner has also cited in the present Petition similarly placed parties who have availed the Grant despite the delay.

3. Learned CGSC submits that given the nature of the dispute, it is apposite that the case of the Petitioner be examined by the Technical Committee once again.

4. Accordingly, with the consent of parties, the following directions are passed:

- (i) The Petitioner and/or his authorized representative will be given an opportunity to be present for a hearing on 25.03.2025 at 11:30 AM in the office of Joint Secretary, Ministry of Food Processing Industries, Panchsheel Bhavan, August Kranti Marg, New Delhi;
- (ii) The Petitioner is permitted to produce any additional facts or documents in support of his contentions, at the time of the hearing before the concerned Authority.
- (iii) In the event, if it is deemed necessary, that there is a need for more than one hearing, the Petitioner and Respondent may mutually schedule such additional hearings amongst themselves as well;



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(iv) In the event that there is any requirement for filing of additional documents or clarification, the Respondent shall ensure that these are obtained from the Petitioner expeditiously so as not to delay adjudication.

(v) Once the hearing in the matter is concluded, the Respondent shall pass a Speaking Order within a period of 12 weeks from the date of such hearing;

(vi) The Speaking Order shall be communicated to the Petitioner under acknowledged postal service and e-mail.

5. Needless to add, that in the event the Petitioner is aggrieved with the order passed by the Respondent, the Petitioner is at liberty to file appropriate proceedings in accordance with the law. All rights and contentions of the parties are left open in this regard.

6. The present Petition is accordingly disposed of in the aforesaid directions. Pending Application stands closed.

7. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

MARCH 6, 2025/jn

Click here to check corrigendum, if any