



CWP-10662-2023 (O&M)

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

CWP-10662-2023 (O&M)**Date of decision: 27.04.2026**

M/S SBP (FOOD AND HYGIENE) PRIVATE LIMITED

....Petitioner

Versus

DEPARTMENT OF INDUSTRIES AND COMMERCE AND ORS

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. D.S. Patwalia, Sr. Advocate with
Mr. Amrinder Singh, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This petition is filed against orders dated 14.01.2022 and 14.03.2023 contained in Annexure P-2 and P-1 respectively, whereby petitioner's claim for certain benefits under a State scheme has been declined on account of non-fulfilment of conditions stipulated in the scheme.

2. The petitioner primarily contends that the grounds of rejection are factually and legally unsustainable.

3. When this matter was heard on 18.07.2023, following orders were passed:-

"Learned counsel for the State has handed over the details of the documents which as per the respondents were never produced by the petitioner.

Learned Senior counsel for the petitioner says that these documents had already been sent on 06.10.2021 (Annexure P-7) to the Joint Director, District Industries Centre, Rohtak which have never been examined by them before



passing the impugned order and these documents were given during the appeal as well.

Learned State counsel is directed to get instructions as to why this matter should not be remanded back to re-consider the facts.

Adjourned to 26.07.2023.

No final order be passed on any appeal with respect to the subsequent years in the meanwhile.

A copy of this order be given to learned State counsel under the signatures of the Bench Secretary of this Court.”

4. Learned State counsel, on the basis of instructions obtained, although states that all relevant records and petitioner's reply has been taken note of while rejecting its claim, but in the facts of the case, we are of the view that the reply submitted by the petitioner ought to be accorded a fresh consideration, particularly keeping in view the documents contained in page 77 and 91 of the paperbook.

5. The objections on which the claim of the petitioner has been rejected are primarily noticed at page 77 of the paperbook. It would reveal that some of the certificates were not in the prescribed format or the documents were found not in sequence. Page 91 of the paperbook would indicate that the petitioner has submitted its reply before the Joint Director, District Industries Centre, Rohtak, as per which the corrected certificates and documents were placed before the respondents.

6. In that view of the matter, we deem it appropriate to dispose of this writ petition with a direction upon respondent No.4/Director General, Directorate of MSME, to accord fresh consideration to the petitioner's claim for grant of benefit under the scheme, keeping in view the petitioner's reply contained in Annexure P-7 (page 91 of paperbook) by passing a reasoned order, within a period of 02 months from today. In order to facilitate fresh



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consideration of cause in terms of above observations, the orders impugned in the writ petition stand quashed.

- 7. It goes without saying that the merits of the case have not been adjudicated by us, and all the issues of facts and law are left open for examination before the competent authority at the first instance.
- 8. Petition stands disposed of accordingly.
- 9. Pending applications, if any, shall stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

APRIL 27, 2026
mohit goyal

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No

(ROHIT KAPOOR)
JUDGE