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

+ **W.P.(C) 10763/2020**

M/S DCM NOUVELLE LIMITED

..... Petitioner

Through: Mr.Fanish K. Jain & Mr.Deepanshu
Garg, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Vivek Goyal, CGSC/UOI for R-1
& R-2 with Ms.Dacchita Shahi, GP.
Ms.Nishi Chaudhary, Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **21.12.2020**

This petition has been heard through video conferencing.

CM APPL. 33782/2020 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 10763/2020 & CM APPL. 33781/2020

Issue notice.

Notice is accepted by Mr.Vivek Goyal, CGSC on behalf of the respondent nos.1 and 2 and by Ms.Nishi Chaudhary, Advocate on behalf of the respondent no.3. Let counter affidavits be filed within a period of four weeks from today. Rejoinder(s) thereto, if any, be filed within a period of three weeks thereafter.

It is the case of the petitioner that the Impugned Letter dated 19.10.2020 directing the recovery of the subsidy amount has been issued by the respondent no.2 without any notice to the petitioner or granting any opportunity of hearing to the petitioner.



On the other hand, the learned counsel for the respondent nos.1 and 2, who appears on advance notice, submits that the verification report was duly supplied to the petitioner before taking the impugned action.

Keeping in view of the submissions made, as an interim measure, on the petitioner depositing a sum of Rs.1,90,82,444/- with the Registrar General of this Court within a period of three weeks from today, there shall be a stay on the operation of the Impugned Order, till further orders. The amount so deposited by the petitioner shall be invested in a fixed deposit for a period of six months with automatic renewal.

List on 13th April, 2021.

NAVIN CHAWLA, J

DECEMBER 21, 2020/rv