

Court No. - 3

Case :- WRIT - C No. - 33338 of 2023

Petitioner :- M/S Sathe Synthetics And Another

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Mayank Kumar Agrawal

Counsel for Respondent :- C.S.C.

Hon'ble Siddhartha Varma,J.

Hon'ble Manoj Bajaj,J.

By means of this writ petition, the petitioners herein are seeking a writ of mandamus commanding the respondents to give actual credit of the amount towards rebate of Electricity Duty to the petitioners w.e.f. January, 2010 to January, 2020.

The matter of refund of the electricity duty came up for consideration before a Division Bench of this Court in Misc. Bench No. 5055 of 2019; M/S Bansal Wire Industries Ltd. Vs. State of U.P. & Ors. and other connected petitions.

The petitions were allowed vide judgment and order dated 7.8.2019 with a direction that the State Government shall refund the amount of electricity duty collected after the issuance of the notification dated 21.1.2010, within a period of six months, failing which the amount would carry interest at the rate of 10%.

The aforesaid judgment is final and conclusive as the SLP filed against the same has been dismissed by the Hon'ble Supreme Court. The present matter is covered by the Division Bench judgement of this Court.

Even the learned Standing Counsel accepts that the present matter is covered by the Division Bench judgment of this Court.

In view of the aforesaid, we dispose of this writ petition in the same terms and conditions as in the judgment and order dated 7.8.2019 passed in the above referred writ petition.

The writ petition accordingly stands disposed of.

Order Date :- 27.10.2023

P.S.Parihar