

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2182 of 2015

- Om Sai Traders & Tent House Through : Proprietor, Deepak Sharma, S/o Shri Pawan Kumar Sharma, Aged About 48 Years, R/o 52 Aadarsh Nagar, Kanker, P. S. Kanker, District Kanker (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Secretary, Department Of Excise, Mantralaya, Mahanadi Bhawan, Naya Raipur (Chhattisgarh)
2. Collector, District Kanker (Chhattisgarh)
3. District Excise Officer, Kanker, District Kanker (Chhattisgarh)

---- Respondents

For Petitioner	Ms. Anju Ahuja, Advocate
For Respondent/State	Shri P. K. Bhaduri, GA

Honb'le Justice Shri Prashant Kumar Mishra

Order On Board By

08/12/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. This petition under Article 226 of the Constitution of India has been preferred for issuance of direction to the respondents to make payment of the undisputed amount towards rent of the tent materials provided by the petitioner to the Department of Excise, Government of Chhattisgarh at Kanker.

3. It is argued that there being no dispute that the petitioner has supplied the tent material or about the amount to be paid to the petitioner, therefore, the writ petition may be disposed of directing the respondents to decide the petitioner's representation for payment of the undisputed amount. Learned counsel would refer to the order passed by the Coordinate Bench in **WPC No.1393/2015 (Om Sai Traders & Tent House v. State of Chhattisgarh and others)**.
4. In view of the above, the writ petition is disposed of with a direction that in the event, the petitioner prefers a representation before the respondent No.3 within a period of 15 days from today, the said respondent shall consider and decide the petitioner's representation for making payment of the undisputed amount, at the earliest, preferably within a period of 2 months from the date of submission of representation.
5. If for any reason, the petitioner is not found entitled to the payment, the respondent No.3 shall pass a reasoned order, against which the petitioner would be at liberty to take recourse to law as may be available and permissible.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA