

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1790 of 2015

Shankar Dall Mill Prop. Ashanand Wadhwani, Since Deceased, Through Son Amrit Lal Wadhwani, S/o Ashanand Wadhwani, Aged About 50 Years, R/o Bhatapara, District Balodabazar- Bhatapara, Chhattisgarh

---- Petitioner

Versus

1. Krishi Upaj Mandi Samiti Bhatapara, Through Secretary, Krishi Upaj Mandi Samiti, Bhatapara, District Baloda Bazar- Bhatapara, Chhattisgarh
2. Director Of Mandi Krishi Upaj Mandi Sahakari Bhawan, Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner : Shri Ashok Soni, Advocate

Order On Board

07/10/2015

Heard.

Learned counsel for the petitioner submits that the demand notice has been issued on 27.5.2015 without proper computation of the correct amount as directed by this Court vide order dated 25.8.2005 passed in Writ Petition No. 3847/1989.

The impugned order does not show how the respondents have computed the amount under the demand notice as per the observation made in clause (1) of the order passed in W.P. No.3847/89. Likewise, adjustment and computation of interest is also not indicated in the impugned order.

In these circumstances, it is appropriate to direct respondent- Mandi to pass detailed order on each and every aspect contained in clauses (1) (2) (3) of the order dated 25.8.2005 of this Court.

The order of demand must indicate how the amount has been computed, in compliance of the order of the Court.

The impugned demand notice, therefore, shall not be given effect to. However, the respondents shall be at liberty to issue a fresh demand notice after due compliance of

the order of the Court.

The petition is accordingly finally disposed off with the observations as above.

Sd/-

(Manindra Mohan Shrivastava)

Judge