

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2087 of 2016

- Bharti Printers Near Durg Rajnandgaon Gramin Bank, G.E. Road Kumhari, District Durg (Chhattisgarh) Through Proprietor Neeraj Chandrakar, S/o Shri Ruprendra Chandrakar, Aged About 30 Years, R/o C/o G-17, Shri Ram Park, Ring Road No.1, Pt. Deendayal Upadhyay Nagar, Near Sector-2, Raipur, District Raipur, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Secretariat, Mahanadi Bhawan, New Raipur, Police Station Rakhi, Post Office Rakhi, District Raipur, (Chhattisgarh) Pin 492002
2. Chhattisgarh Pathya Pustak Nigam, 2nd Floor, Haribhoomi Press Parisar, Dhamtari Road, Tikrapara, Raipur, (Chhattisgarh) 492001 Through Managing Director
3. The General Manager, Chhattisgarh Pathya Pustak Nigam, 2nd Floor, Haribhoomi Press Parisar, Dhamtari Road, Tikrapara, Raipur, (Chhattisgarh) 492001

---- Respondent

For Petitioner	Mr. Y.C. Sharma, Advocate
For Respondent/State	Mr. Arun Sao, Dy. AG
For Respondents 2 & 3	Mr. K. Shakeel, Advocate on advance copy.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

22/8/2016

1. Heard.
2. The petitioner has assailed the legality and validity of the order passed by respondent No.2, refusing to consider its application for registration as 'Printers' for the year 2016-2017.
3. Mr. Y.C. Sharma, learned counsel for the petitioner, would submit that the impugned order was passed on 02.08.2016, however, thereafter, the tax assessment order has been passed against M/s. Kokila Printers

on 04.08.2016, wherein, M/s. Kokila Printers has been made liable to pay VAT on the machinery sold to the petitioner and to the best of petitioner's knowledge, M/s. Kokila Printers has complied with the said order.

4. Learned counsel for the petitioner would further submit that in view of the subsequent developments, the petitioner may be permitted to make a fresh representation before respondent No.2/respondent No.3 and the same may be directed to be considered in accordance with law.
5. Mr. K. Shakeel, learned counsel for respondents 2 & 3 appearing on advance copy, would submit that if the petitioner submits fresh representation, the same shall be considered in accordance with law, however, liberty may be reserved in favour of the respondents to consider the entire facts and grounds without limiting the same to the order passed by the Taxation Authority against M/s. Kokila Printers.
6. Mr. Y.C. Sharma, learned counsel for the petitioner, would submit that he has no objection if the representation is considered afresh on its own merits.
7. In view of the aforesaid, the writ petition is disposed of with a direction that in the event, the petitioner prefers a fresh representation before respondent No.2/respondent No.3 within a period of 03 days from today, the respondent authorities shall decide the same objectively within a period of 10 days from the date of receipt of representation.

Sd/-

Judge

(Prashant Kumar Mishra)