

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition No.773 of 2004

M/s AGIO Paper & Industries Limited, A company registered under the Companies Act, 1956 through its Factory Manager, Shri Sunil Mishra, S/o Shri B.K. Mishra, aged about 55 years, R/o L-9, Vinoba Nagar, Bilaspur (CG).

---- Petitioner

Versus

1. Chhattisgarh State Power Holding Company Limited, through its Chief Executive Officer, Chhattisgarh State Power Holding Company Limited, Raipur (CG).
2. Superintending Engineer (O&M), Chhattisgarh State Power Holding Company Limited, Circle Bilaspur (CG).
3. Superintending Engineer (Commercial), Office of the Chief Engineer (Commercial), Chhattisgarh State Power Holding Company Limited, Raipur.
4. Chief Engineer (B/R), Chhattisgarh State Power Holding Company Limited, Bilaspur (CG).
5. Labour Office Bilaspur, District Bilaspur.

--- Respondents

For Petitioner	: Mr. Malay Shrivastava, Advocate.
For State/Respondents	: Mr. Aditya Sharma and Mr. Sunil Otwani, Advocates

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

13/11/2017

Heard.

(1) Learned counsel appearing for the petitioner would submit that the petitioner's application for waiving minimum demand charges and surcharge as per clause No. 23(a) of the Agreement for High Tension Supply for a period from 28.10.2002 to 01.05.2003 has been rejected by respondent No.2

on 07.08.2003 without assigning reasons and by non-speaking and unreasoned order, which is unsustainable and bad in law.

(2) Learned counsel appearing for the respective respondents would oppose the submission made by learned counsel for the petitioner.

(3) I have heard learned counsel appearing for the parties.

(4) Be that as it may, Chhattisgarh State Power Holding Company Limited, Raipur is directed to consider and decide the petitioner's application dated 02.05.2003 in accordance with law by speaking and reasoned order expeditiously preferably within a period of three months from the date of receipt of certified copy of this order without being influenced by observation made in the impugned order dated 07.08.2003. However, the petitioner is at liberty to file additional representation along with documents before the said authority in support of his case.

(5) With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

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