

HIGH COURT OF CHHATTISGARH, BILASPUR**WP No.1995 of 2003**

Kailash Prasad Soni, aged 48 years, S/o.Shri Radhe Shyam Soni,
Plot No.118, New Civic Center, Bhilai, Distt.: Durg (Chhattisgarh)

---- Petitioner

Versus

1. Steel Authority of India., Bhilai Steel Plant, through Managing Director, Bhilai, Distt. Durg
2. The General Manager, Town Administration Department, Steel Authority of India Ltd., Bhilai Steel Plant-Bhilai
3. Senior Estate Manager (Land), Steel Authority of India Limited, Bhilai Steel Plant.
4. Town Administrator (Land) Department of Town Administration, Steel Authority of India Ltd. Bhilai Steel Plant, Bhilai, Distt. Durg (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr.H.B.Agrawal, Senior Advocate with Mrs.Meera Jaiswal, Advocate
For Respondents	:	Mr.B.D.Guru, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

23/10/2017

Heard.

1. Mr.H.B.Agrawal, learned Senior Counsel along with Mrs.Meera Jaiswal, learned counsel appearing for the petitioner, would submit that by order dated 26.7.2003 (Annexure P/11) lease granted to the petitioner has been cancelled, which is unsustainable and bad in law as lease deed cannot be cancelled by executive order. It can be done by jurisdictional civil Court.
2. On the other hand, learned counsel for the respondents would submit that the petitioner was granted lease on 24th June,

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1982 for 30 years and that has already been expired on 24th June, 2012, therefore, he is not entitled for any relief.

- 3.** Learned Senior Counsel submits that liberty may be granted to the petitioner to make an application for renewal/condoning the breach, if any, of terms and conditions of the lease agreement.
- 4.** Mr.B.D.Guru submits that application for renewal will be considered by the Steel Authority of India in accordance with law.
- 5.** Be that as it may, the petitioner is at liberty to make an application for renewal/condonation of breach of terms and conditions of the lease agreement and that application will be considered by the Steel Authority of India within a period of 45 days from the date of receipt thereof. Till then, interim order granted on 30.9.2003 shall be remain in force.
- 6.** With the aforesaid observation, the writ petition finally stands disposed of. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-