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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1529 of 2011**

Ghalib Memorial Education Society, a Society registered under the Societies Registrikaran Adhiniyam, 1973 having its office at 'C' Market, Sector- 6, Bhilai Nagar, District- Durg, Chhattisgarh, through its President Mohd. Tahir Khan, S/o Late Mohd. Ismaili Khan, aged about 59 years, R/o House No. 16-A, Street No. 30, Sector- 7, Bhilai, District- Durg, Chhattisgarh.

---- Petitioner**Versus**

1. Steel Authority Of India Limited, Bhilai Steel Plant, through its Managing Director, Bhilai Steel Plant, Bhilai, District- Durg, Chhattisgarh.
2. Managing Director, Steel Authority of India Limited, Bhilai Steel Plant, Bhilai, District- Durg, Chhattisgarh.
3. Assistant General Manager, Land & Lease, Town Services Department, Steel Authority of India limited, Bhilai Steel Plant, Bhilai, District- Durg, Chhattisgarh.

---- Respondents**And****WPC No. 1530 of 2011**

Ghalib Memorial Education Society, a Society registered under the Societies Registrikaran Adhiniyam, 1973 having its office at 'C' Market, Sector- 6, Bhilai Nagar, District- Durg, Chhattisgarh, through its President Mohd. Tahir Khan, S/o Late Mohd. Ismaili Khan, aged about 59 years, R/o House No. 16-A, Street No. 30, Sector- 7, Bhilai, District- Durg, Chhattisgarh.

---- Petitioner**Vs**

1. Steel Authority Of India Limited, Bhilai Steel Plant, through its Managing Director, Bhilai Steel Plant, Bhilai, District- Durg, Chhattisgarh.
2. Managing Director, Steel Authority of India Limited, Bhilai Steel Plant, Bhilai, District- Durg, Chhattisgarh.
3. Assistant General Manager, Land & Lease, Town Services Department, Steel Authority of India limited, Bhilai Steel Plant, Bhilai, District- Durg, Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Rajeev Shrivastava, Advocate.
For Respondents	:	Mr. B.D. Guru, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

11/12/17

Heard.

1. Mr. Rajeev Shrivastava, learned counsel for the petitioner submits that the petitioner is minority Muslim society. The petitioner is running an educational institution. The petitioner had taken the land admeasuring 53710 Sq. ft. on lease for the purpose of play ground. The lease amount was very low. This was an old lease. On 26.10.2010, respondent No. 3 (BSP) has now issued a notice to the petitioner's society that either they should renew the lease of the subject land or they should hand over the vacant possession of the land to the concerned authorities. Mr. Shrivastava, submits that there is an offer for renewal of the lease, but the concerned authority has quoted exorbitant charges along with penal interest i.e. 11,37,981/- for such purpose which is not supported by any statute. His submission is that the amount is arbitrary. He also submits that on such exorbitant amount the petitioner's society may not be able to renew or continue with the lease of the subject land. He also submits that the above demand is in contravention of Clause-3 of the provisions of previous lease deed.

2. On the other hand, Mr. B.D.Guru, learned counsel appearing on behalf of respondents would submit that the lease has commenced on 29.07.1978 and 30 years has already been expired, therefore, notice for demand of renewal of penalty has been served to the petitioner.

3. I have heard learned counsel for the parties at length.

4. Be that as it may, the petitioner would be at liberty to file a detailed representation to the Steel Authority of India who, in turn, shall consider and decide the petitioner's representation expeditiously preferably within a period

of three months from the date of receipt of copy of this order by passing a reasoned order. Also, for the period of three months and two weeks, the interim order granted earlier on 22.03.2011 shall remain in operation.

5. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

SD/-

(Sanjay K. Agrawal)

Judge