

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3041 of 2016

M/s A. S. Advertisers A Proprietorship Firm Having Its Office At Gurunanak Chowk, Raipur, Through Its Proprietor Shri Atul Agrawal, S/o Shri Satyanarayan Agrawal, Aged About 38 Years, R/o Gurunanak Chowk, Raipur, (Chhattisgarh), Civil & Revenue District Raipur, (Chhattisgarh)

---- Petitioner

Versus

1. The Municipal Corporation Raipur Through Its Commissioner, Municipal Corporation, Raipur, (Chhattisgarh)
2. Commissioner, Municipal Corporation, Raipur, (Chhattisgarh)

---- Respondents

Shri B.P.Sharma, counsel with Shri Sameer Uraon, counsel for the petitioner/s.
Shri H.B.Agrawal, senior counsel along with Ms. Prabha Shukla, counsel for the respondents.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/05/2017

On the last date of hearing, the officer of the Corporation had appeared and submission was made before this Court that the impugned notice was only in relation to the year 2016-17 and not in respect of any amount of advertisement fee payable in respect of any previous year. It was also submitted that even for computing advertisement fee for the year 2016-17, the old rates prevalent in the year 2011 have been applied and not the new rates which have become effective after 2016.

2. According to learned counsel for the petitioner, the petitioner has paid an amount of Rs.33,39,970/- on 02/02/2017, Rs.26,94,600 on 09/02/2017 and Rs.31,44,000/- on 09/02/2017 by different cheques.

3. According to the Corporation, the rate applied by the Corporation would be that of the year 2010. The fee for the year 2016-17 can be recovered on the basis

of this rate only of the year 2010 and not of any revised rate. Therefore, it is directed that the respondent shall workout afresh the amount payable by the petitioner at the rate prevalent in 2010 and payable for the year 2016-17 only. Upon such amount being worked out, amount already paid by the petitioner is less, the petitioner shall be given a notice for reminder amount, if any. The entire exercise shall be done within a period of 30 days.

4. The petition is disposed off at this stage, with liberty to the petitioner to revive, in case, the grievance still subsists.

Sd/-

(Manindra Mohan Shrivastava)
Judge