

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 421 of 2017

1. M/s Keshav Iron, a partnership firm duly registered under the relevant provisions of the Indian Partnership Act, 1932 Having Its Registered Office At 33- A, Light Industrial Area, Bhilai, District Durg, Acting In The Premises Through Its Partner Shri Sanjay Agrawal, S/o Shri Netram Agrawal, Aged About 44 Years.
2. Sanjay Agrawal, S/o Shri Netram Agrawal, Aged About 44 Years, Partner- M/s Keshav Iron, Bhilai And Resident Of 67, Old Nehru Nagar, Bhilai, District Durg. Civil & Revenue District Durg

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Ministry Of Industry, Mantralaya, Mahanadi Bhawan, Naya Raipur (Chhattisgarh)
2. Chief General Manager, District Industry & Trade Centre, Durg

---- Respondents

For Petitioners	Shri B. P. Sharma, Advocate
For Respondent-State	Shri U. N. S. Deo, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

22/02/2017

1. Without referring to unnecessary details, suffice it would be to mention that the petitioner has established a factory for production of steel fabrication, re-rolled products, wire

drawing of steel, alloy steel or stainless steel and MS ingots and purpose ancillary thereto, for which it has been allotted lease of 21.938 Hectares of land in the Heavy Industrial Area, Bhilai for a period of 99 years commencing from 12.12.2013. The petitioner was granted new certificate of commencement of production by the District Trade and Industry Centre, Durg vide Annexure-P-3.

2. By the impugned order (Annexure-P-5), the District Trade and Industry Centre, Durg has cancelled the certificate on certain grounds, however, there is no reference to the reply submitted by the petitioner to the show cause notice issued to it. It is also to be seen that the show cause notice was issued on 07.02.2017 allowing 7 days time to file reply, to which the petitioner prayed for 7 days time on 15.02.2017, but the Chief General Manager, District Trade and Industry Centre, Durg passed the impugned order on 15.02.2017 itself. Considering the manner and haste in which the impugned order has been passed, there appears only a lip service and not proper compliance of principles of natural justice.
3. In the facts and circumstances of the case, instead of keeping this petition pending before this Court, I deem it appropriate to dispose of the same by allowing the petitioner to submit detailed reply to the show cause notice issued by the District Trade and Industry Centre, Durg within a period

of 15 days from today. On such reply being filed, the District Trade and Industry Centre, Durg shall pass a fresh and reasoned order after giving proper opportunity of hearing including personal hearing to the petitioner within a period of 10 weeks from the date of submission of reply. The order (Annexure-P-5) stands quashed for non compliance of principles of natural justice.

4. The writ petition stands disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala