

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2066 of 2017**

Century Textiles and Industries Limited, a company Registered Within The Meaning Of Companies Act 2013 having Its Registered Head Office Century Bhawan, Dr. Annie Besant Road Worli, Mumbai Through Its Deputy General Manger, Legal (Authorized Signatory) namely Shri Yogesh Jayant Paranjape, Aged About 37 Years R/o Century Bhawan Dr. Annie Besant Road, Worli Mumbai Maharashtra 400030

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Collector Of Stamps Raipur, Chhattisgarh
2. Registrar Of Stamps, Office Of District Registrar Office Raipur, Collectorate Campus, Raipur Head Office Raipur Chhattisgarh
3. Manager Axis Bank Limited Trishul 3rd Floor, In Front Of Samratateshwar Temple, Law Garden, Allies Bridge, Ahmadabad 380006
4. Manager Kotak Mahindra Bank Limited 27 B. K. C. C -27 G- Block Bendra Kurla Complex Bandra East Mumbai 400051

---- **Respondents**

For Petitioner	:	Shri Manoj Paranjpe, Advocate.
For State	:	Shri Gary Mukhopadhyay, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****28/07/2017**

(1) In a revision filed by the petitioner challenging the order dated 15.12.2015 passed by Collector of Stamps, Board of Revenue by order dated 08.02.2016, has stayed the execution of the order of Collector of Stamps dated 15.12.2015 and the said interim order has been continued till 05.07.2016.

(2) On 05.07.2016, Board of Revenue has admitted the revision petition for final hearing but declined the extend the stay order on the ground that the case is fixed for final hearing, and ultimately case was heard finally and

the petitioner has concluded his arguments on that day. On the request of counsel for the respondents, the matter has been fixed for final arguments of the respondents for 22.08.2017. In the meanwhile, notice of recovery dated 16.06.2017 has been issued against the petitioner, against which instant writ petition has been filed questioning the same.

(3) Learned counsel for the petitioner would submit that interim order dated 8.2.2016 granted by Board of Revenue is operating till 5.7.2016 and on that day petitioner has concluded his arguments before the Board of Revenue and even the State sought time and granted to argue the matter finally and in the meanwhile notice of recovery dated 16.06.2017 has been issued and, therefore, appropriate order be passed in favour of the petitioner.

(4) On the other hand, Counsel for the state opposes the writ petition.

(5) I have heard learned counsel for the parties and perused the order impugned with utmost circumspection.

(6) Fact remains that interim order was operating since the date of admission of the revision petition; though the Board of Revenue had declined to extend the interim relief by order dated 05.07.2016, but thereafter notice of recovery dated 16.06.2017 has been issued against the petitioner; the petitioner has concluded his final arguments on 05.07.2016 and it is the State who has been granted time to make submissions finally and which is now fixed for 22.08.2017.

(7) Be that as it may, the respondents/State is directed to conclude his final arguments on 08.08.2017 / 22.08.2017 and, thereafter, Board of Revenue shall take a decision within a period of one month thereafter.

(8) Since the interim order was also in force from 08.02.2016 till 5.7.2016

and it is the State, who has sought time to make submissions finally and it has been granted, it would be in the interest of justice to direct the Board of Revenue to conclude the hearing expeditiously as stated hereinabove and till the decision is taken by the Board of Revenue, that should not be later than 22nd August, 2017, interim relief granted by the Board of Revenue dated 08.02.2016 shall remain continue.

(9) With the aforesaid observations, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-