

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.2403 of 2017**

M/s Golchha Chemicals proprietor Shri Prakash Golchha S/o Shri Late Kewalchand Golchha, 62 years, R/o 19/2, West Nehru Nagar, Bhilai, Tahsil and District Durg (CG)

----Petitioner

Versus

1. Union of India through Ministry of Finance, North Block, New Delhi
2. Bhilai Steel Plant Through Managing Director, Bhilai, Tahsil and District Durg (CG)
3. General Manager (Finance), Bhilai Steel Plant, Bhilai, District Durg (CG)

---- Respondents

For Petitioner	:	Mr.Naveen Dani, Advocate
For Res.No.2 and 3	:	Dr.Saurabh Pandey, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

1/9/2017

1. The petitioner has filed this writ petition for refund of excess duty recovered on clearance of raw material during 1.3.1979 to 31.3.1985.
2. There is delay of 32 years in filing the writ petition.
3. Learned counsel for the petitioner would submit that delay has been explained properly and in view of the judgment of the Supreme Court in the matter of **Haryana State Electricity Board Vs. The State of Punjab & Haryana and others**¹ the writ petition can be entertained.
4. I have heard learned counsel for the petitioner and perused

¹ AIR 1974 SC 1806

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the documents appended with the writ petition.

5. There is an inordinate delay of 32 years in filing the writ petition, but there is no satisfactory application on record for delay in filing the writ petition.
6. The writ petition having been filed after 32 years with no acceptable explanation deserves to be and is hereby dismissed. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-