

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 401 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, Chhattisgarh

----Appellant**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, Chhattisgarh
3. General Manager (Finance), Bhilai Steel Plant, Bhilai, District Durg, Chhattisgarh

---- Respondents

For Appellant	:	Shri Jitendra Gupta, Advocate
For Respondent-UI	:	Shri B. Gopa Kumar, Asst. S.G. For the Union of India

Hon'ble Shri Justice Goutam Bhaduri
Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

Per Goutam Bhaduri, J**27/10/2017**

1. Heard.
2. The instant writ appeal is against the order dated 01.09.2017, passed in WPC No.2403/2017, wherein learned Single Bench has dismissed the writ petition on the ground that predominantly the petition has been filed to recover the excess duty recovered for the period from 01.03.1979 to 31.03.1985 being delayed by 32 years.
3. During the submission, learned counsel for the appellant submits that one of

the other party i.e. the Bhilai Steel Plant had filed a writ appeal and in that writ appeal certain reliefs were granted, consequently, Article 14 of the Constitution of India may be pressed into.

4. We do not find any reason to interfere with the order dated 01.09.2017 which is predominantly on the ground that no plausible explanation was given for enormous delay of 32 years. Consequently, the writ appeal has no merits. It is accordingly dismissed.

Sd/-

Goutam Bhaduri
Judge

Sd/-

Arvind Singh Chandel
Judge