

HON'BLE SRI JUSTICE S.V. BHATT

Writ Petition No.22165 of 2011

ORDER:

The petitioner challenges the applicability of the Building and Other Construction Workers (Welfare Cess) Act, 1966 (for short 'the Act'), in relation to the power plant constructive activity undertaken by the petitioner.

2. Learned counsel appearing for both parties fairly draw the attention of the court to the decision of the Hon'ble Supreme Court in '*Lanco Anpara Power Ltd., vs. State of Uttar Pradesh*¹' and submit that the objection raised on the applicability of the Act is no more *res integra*. However, Ms. A. Divya, appearing for the petitioner, requests the court to give opportunity to contend the notice, if any, issued by the respondents, particularly on the quantum of money and the extent of liability under the Act.

3. By granting the liberty as prayed for, the writ petition is dismissed. No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

S.V.BHATT, J

Date: 20.02.2017
BSS

¹ (2016)10 SCC P.329

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