

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 7270 of 2013

Date of decision : 13.07.2017

M/s Arun Ice Factory & anr.

....Petitioners

V/s

Dakshin Haryana Bijli Vitran Nigam Ltd. & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Amit Jain, Advocate for the petitioners.

Mr. P.S. Poonia, Advocate for the respondents.

RAJAN GUPTA J.

Petitioners have primarily submitted that the demand has been erroneously raised by the Nigam by referring to circulars dated 28.04.2010 and 31.08.2011 (Annexures P2 & P3). Learned counsel for the petitioners submits that though petitioners have deposited the amount in view of demand raised by the Nigam, case of the petitioners is not within the ambit of the circulars as they never opted for the exemption as provided in the circulars. He has relied upon order passed by this court in CWP No. 6680 of 2008 titled as Haryana Chamber of Commerce and Industries & ors. vs. Uttar Haryana Bijli Vitran Nigam, Limited & ors. decided on 10.02.2009.

At the outset learned counsel appearing for the Nigam submits that the case of petitioners is considered. Representation, Annexure P-4 preferred by petitioners shall be considered by the Nigam in light of the Act, Rules and judgment in Haryana Chamber of Commerce and Industries' case (supra). If same is applicable and decision shall be taken expeditiously, in

any case not later than four months.

Under the circumstances, no further direction is necessary.

Petition is hereby disposed of.

July 13, 2017
Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No