

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2160 of 2018**

Ind Power Ltd. Having Registered Office at P.H. 18-20, Village Koymar, Near Mahuapalli, District Raigarh, Through Authorized Signatory, T. R. Rao S/o Late T. S. Rao, Aged about 57 years, R/o B-104, Ashoka Heights, Mowa, Raipur, having its Plant at Village Mahapali, Tahsil and District Raigarh (Chhattisgarh) **---- Petitioner**

Versus

1. State of Chhattisgarh, through Secretary, Water Resources Department, Mahanadi Bhawan, New Raipur, District Raipur (C.G.)
2. The Sub-Divisional Officer, Water Resources, Sub Division, Raigarh, District Raigarh (C.G.)
3. The Tahsildar, Raigarh, Tahsil and District Raigarh, (C.G.)
4. The Executive Engineer, Water Resources Division, Raigarh, District Raigarh (C.G.) **--- Respondents**

For Petitioner	:	Mr. Sourabh Sharma, Advocate.
For Respondents / State	:	Mr. Anand Dadariya, Dy. G. A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****03/08/18**

1. Learned counsel for the petitioner would submit that the issue involved in this writ petition is covered by the decision rendered by this Court in WPC No. 2533 of 2016; **M.S. P. Sponge Iron Ltd. v. State of Chhattisgarh and others**, wherein it has been held in paragraph – 6 as under :-

“(6) Be that as it may, in the facts and circumstances of the case, it would be expedient to direct the State Government to take decision on the petitioners' representation as to whether Act, 1931 would be

applicable to the petitioners – Company, who are lifting ground water by drilling borewell and the petitioners are also at liberty to make fresh representation to the State Government within a period of three weeks from today and in turn, the State Government after hearing both the parties shall consider and decide the same within a further period of 10 weeks in accordance with law.”

2. Learned State counsel would submit that this petition be also disposed of in terms of paragraph – 6 of the aforesaid order passed in *M.S.P. Sponge Iron Ltd.* (supra).

3. I have heard learned counsel for the parties.

4. Accordingly, this writ petition is disposed of in terms of the order passed by this Court in *M.S.P. Sponge Iron Ltd.*, quoted herein above. No order as to cost(s).

SD/-

(Sanjay K. Agrawal)
Judge