

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (C) No.2171 of 2016

Valecha Engineering Ltd., a limited company incorporated under Companies Act, 1956, having its office at 'Valecha Chambers', 4th Floor, Plot No.B-6, Andheri New Link Road, Andheri (W), Mumbai 400053 and represented through its constituent attorney holder Mr. Vinay Kumar Jain, aged about 37 years, S/o Shri Ratan Lal Jain, R/o A-3, Jeevan Vihar Colony, Opp. Airport Road, Raipur (C.G.)

---- Petitioner

Versus

Raipur Development Authority, through-

1. The Chairman, R.D.A., Raipur (C.G.)
2. The Chief Executive Officer, R.D.A., Raipur (C.G.)

---- Respondent(s)

For Petitioner:	Mr. Ashok Mishra, Advocate.
For Respondents:	Mr. Pawan Kesharwani, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/03/2018

1. This writ petition has been filed calling in question the letter dated 11-8-2016.
2. This Court by order dated 30-1-2018, directed the Chief Executive Officer, Raipur Development Authority to file his own affidavit. Affidavit has been filed in which it has been stated as under: -

“3. The letter issued by the respondent is only a request letter to various departments and it is neither a letter of demand nor is a request for initiation of any recovery proceedings against the petitioner. It is only issued for safeguarding the interest State Exchequer circumscribing various departments of Government of Chhattisgarh by intimating about the claim of the Raipur Development Authority to the tune of Rs.2,12,85,604/- due to be paid by the petitioner.

4. The letter issued is in no way an initiation of recovery proceeding against the petitioner rather is a communication letter to the various department which is issued as a part of administration of routine business amongst the various departments.

5. The letter thus is issued in regular course of business pertaining to co-ordeal functioning of various departments of State of Chhattisgarh and is in no way issued with the alleged intent of initiating a recovery proceeding against the petitioner.”

3. Learned counsel for the petitioner submits that the writ petition be disposed of in terms of paragraphs 3, 4 and 5 of the affidavit.
4. The writ petition is disposed of in terms of paragraphs 3, 4 and 5 of the affidavit of the Chief Executive Officer, Raipur Development Authority. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge