

HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 235 of 2019

Raysinet Kemikal Company Industrial Estate, Nandini Road, Post Office - Industrial Estate, Bhilai Chhattisgarh. Through Vishal Kejriwal, S/o Shri Suresh Kejriwal, Aged About 32 Years, Partner, Raysinet Kemikal Company, Plot No. 31-35 And 74-75, Industrial Estate, Nandini Road, Post Office Industrial Estate Bhilai Chhattisgarh

---- Appellant

Versus

1. Union Of India Through Secretary, Ministry Of Finance, North Block, New Delhi. Pin Code - 110001
2. Steel Authority Of India Bhilai Steel Plant, Bhilai, Through Its Chief Executive Officer First Floor, Ispat Bhawan, Bhilai, District Durg Chhattisgarh, Pin Code - 490001
3. General Manager (Finance) Steel Authority Of India, Bhilai Steel Plant, Ispat Bhawan, Bhilai, District Durg Chhattisgarh. Pin Code - 490001

--- Respondents

For Appellant	:	Mr. Amrito Das, Advocate with Mr. K. Rohan, Advocate.
For Respondent	:	Dr. Saurabh Kumar Pande, Advocate.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/05/2019

Heard.

1. This writ appeal is directed against order dated 09.01.2019 passed by learned Single Judge dismissing writ petition as barred by laches.
2. Learned counsel for the appellant would argue that certain recovery which were made between the period from 1978 to 1986 were illegal and impression was given to the appellant that after adjudication of dispute, refund if any, found in favour of appellant, would be made. He would further submit that representations were made but no reply was given, therefore, it is continuous cause of action.
3. We afraid, the submission made by learned counsel for the appellant are not tenable in law. Even if, we accept that the petitioner have a case for seeking refund from respondent, there is absolutely no justification for the petitioner to

sleep over his rights for last more than three decades. The petitioner is a corporate body and not a rustic villager. The claim therefore, is clearly barred by unexplained delay and laches. No interference is called for.

4. Therefore, the writ appeal is dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Rajani Dubey)
Judge

Ravi