

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPC No. 3123 of 2019

MSP Steel And Power Ltd. through the Senior General Manager (Corporate), Prashant Pandey S/o S.N. Pandey, Age 52 Years, R/o Chakradharnagar, Bangla Para, Raigarh, Having Its Steel Factory At Village Jamgaon, Post Jamgaon, Tahsil And District Raigarh, Chhattisgarh and Registered Office At 1, Crooked Lane, Kolkata (West Bengal). ---

Petitioner

Versus

1. State of Chhattisgarh through the Secretary, Department of Industries, Government of Chhattisgarh, Naya Mantralaya, Mahanadi Bhawan, Raipur, District : Raipur, Chhattisgarh
2. Secretary Department of Energy, Naya Mantralaya, Mahanadi Bhawan, Raipur, District : Raipur, Chhattisgarh
3. Chhattisgarh State Industrial Development Corporation Limited, a Corporation Constituted by the Government of Chhattisgarh through Its Managing Director, having Its Office At 1st Floor, Udyog Bhawan, Ring Road No. 1, Telibandha, Raipur, District : Raipur, Chhattisgarh
4. Chhattisgarh State Power Distribution Company Limited, a Company Constituted under The Companies Act, through the Managing Director having Its Office at 4th Floor, Vidyut Seva Bhawan, Dagania, Raipur, District : Raipur, Chhattisgarh
5. The Chief Electrical Inspector State of Chhattisgarh, Indrawati Bhawan, Naya Raipur, Raipur District : Raipur, Chhattisgarh
6. The Director of Industries Government of Chhattisgarh, Udyog Bhawan, Telibandha, Raipur, District : Raipur, Chhattisgarh
7. The Chief General Manager District Trade and Industries Centre, Lochan Nagar, Raigarh, Chhattisgarh.
8. The Collector Raigarh, District Raigarh, Chhattisgarh.
9. The Tehsildar Raigarh, District Raigarh, Chhattisgarh.

--- Respondents

11.09.2019	Dr. N.K. Shukla, Sr. Advocate with Mr. Tarkeshwar Nande, for the petitioner. Mr. Kunal Das, Panel Lawyer, for the State. Mr. Avinash Choubey, counsel for respondent No.3. Heard. The grievance of the petitioner is that the petitioner has set up a plant according to the Industrial Policy 2001-2006. Subsequently, the petitioner had made a representation seeking exemption from payment of electricity	

duty vide Annexure P-12. It is contended that the petitioner's right to get the exemption was considered by the Industries Department and after evaluating the entitlement for the same, it was forwarded to respondent No.5 the Chief Electrical Inspector. However, the respondents are insisting for payment of electricity duty which was earlier demanded in the year 2018 vide Annexure P-13 and subsequently the RRC has been issued on 12.03.2019 (Annexure P-15). It is stated that certain amount has been deposited. Learned counsel for the petitioner submits that for the present the representation of the petitioner may be decided within a stipulated time so that the right of the petitioner can be evaluated.

Considering the facts situation, without going into the merits of the case, at this stage since the limited prayer has been made that the representation of the petitioner may be decided, respondent No.5 is hereby directed to consider and decide the representation of the petitioner as to the entitlement of the petitioner for exemption of electricity duty within a period of 45 days from the date of receipt of copy of this order.

With the above observation, this writ petition stands finally disposed of.

Sd/-

**(Goutam Bhaduri)
Judge**

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