

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 213 of 2020

1. Maa Kali Alloys Udyog (P) Limited, Through Its Authorized Signatory, Prasanta Kumar Nayak, S/o Dhaneshwar Nayak, Aged About 48 Years, R/o 08, Krishna Vihar, Jindal Road, Raigarh, Tahsil And District: Raigarh, Chhattisgarh, Having Its Registered Office At 46/A, Rafi Ahmed Kidwal Road, 2nd Floor, Kolkata, West Bengal

---- Petitioner

Versus

1. State of Chhattisgarh Through Its Secretary, Department of Energy, Naya Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur, District : Raipur, Chhattisgarh
2. Department of Industries Through Its Secretary, Naya Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur, District : Raipur, Chhattisgarh
3. The Chief Electrical Inspector, State of Chhattisgarh, Indrawati Bhawan, Naya Raipur, Raipur, District : Raipur, Chhattisgarh
4. Chhattisgarh State Power Distribution Company Limited Through Its Executive Director (Commercial), 4th Floor, Vidyut Bhawan, Daganiya, Raipur, District : Raipur, Chhattisgarh
5. The Tahsildar Raigarh, Tahsil And District : Raigarh, Chhattisgarh

----- Respondents

For Petitioner	:	Mr. Sourabh Sharma, Advocate
For State	:	Mr. V.R. Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17.01.2020

1. The grievance of the petitioner in the present writ petition is the demand notice dated 07.11.2019 issued from the office of the Respondent No. 3. The counsel for the petitioner submits that he had on earlier occasion filed a writ petition that was WPC No. 2361 of 2019 for similar relief, which was disposed off vide order dated 22.07.2019. While disposing

the said writ petition, the High Court had ordered the petitioner to move a representation to the authorities and the concerned authorities were further directed to consider and decide the representation within a period of 45 days. The grievance of the petitioner is that immediately thereafter, the petitioner had preferred various representations to the concerned authorities but till date all these representations are pending consideration and meanwhile the Respondent No. 3 has again issued a demand notice ie., impugned order Annexure P-1 dated 07.11.2019.

2. At this juncture, the counsel for the petitioner submits that grievance as of now can be redressed, if this Court directs the respondent authorities to take a decision before pursuing with the demand notice P-1 dated 07.11.2019.
3. Given the limited relief that the petitioner has sought for and also taking note of the earlier decision of this Court delivered on 22.07.2019 in WPC No. 2361 of 2019, this Court is of the opinion that a writ petition can be disposed off at this juncture directing the Respondent No. 3 and 4 to take an appropriate decision on the representation, so filed by the petitioner.
4. Let the Respondent No. 3 and 4 take a decision at the earliest, preferably within a period of 45 days from the date of receipt of copy of this Order. The liberty of the petitioner would not get precluded from challenging the demand notice at a later stage, if it is required.
5. The writ petition accordingly stands disposed off.

**Sd/-
(P. Sam Koshy)
Judge**