

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1004 of 2021**

- Sarwa Mangla Trade Links Through Its Proprietor Shabd Prakash Lath, S/o Late Arun Kumar Lath, Aged About 41 Years, R/o J.P. Heights, Subhan Vihar, Bilaspur, Tahsil And District Bilaspur (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Principal Secretary, Department Of Commerce And Industries, Mahanadi Mantralaya, Atal Nagar, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur Chhattisgarh
2. Chhattisgarh State Industrial Development Corporation Limited (A Government Of Chhattisgarh Undertaking) Through The Managing Director, Life Insurance Corporation Of India, Commercial Complex, Pandri, Raipur (Chhattisgarh),
3. Executive Director, Chhattisgarh State Industrial Development Corporation Limited (A Government Of Chhattisgarh Undertaking), Life Insurance Corporation Of India, Commercial Complex, Pandri, Raipur Chhattisgarh
4. Chief General Manager (Land Allotment), Chhattisgarh State Industrial Development Corporation Limited (A Government Of Chhattisgarh Undertaking), Udyog Bhawan, First Floor, Ring Road No. 1, Telibandha, Raipur (Chhattisgarh)
5. Chief General Manager, District Trade And Industries Center, New Composite Building, First Floor, Collectorate Premises, Bilaspur (Chhattisgarh)
6. Manager, Chhattisgarh State Industrial Development Corporation Limited (A Government Of Chhattisgarh Undertaking), Tifra, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner : Mr. B.D. Guru, Advocate

For State : Ms. Shriya Mishra, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23/02/2021

1. Heard.
2. Learned counsel for the petitioner submits that the petitioner entered into a lease deed in the year 2006 and thereafter was put to possession. The lease was for purpose of servicing and manufacturing of bus, truck body building etc. Subsequently in the year 2015, the lease deed was amended and along with the servicing and manufacturing of bus truck, truck body building, the packaging and warehousing were also added. The annual ground rent was revised to Rs. 63,681/- in place of Rs. 5,528/-, maintenance charges were revised to Rs. 53,067/- instead of Rs. 5,528/- and street light charges were added of Rs. 1,769/-. He submits that thereafter in the year 2018 the rules of allotment by the State Government in respect of the industrial lands were amended and certain exemptions were granted vide notification dated 01.02.2018. He further submits that by promulgation of the said rules, the petitioner was not required to pay the enhanced charges as the enhanced charges were not made applicable to the existing lease however the same is demanded by the petitioner. The petitioner therefore had filed a petition before the Principal Secretary on 01.10.2020 by Annexure P/14 and the only limited prayer made by the petitioner by way of this petition is that the said petition may be decided in accordance with existing law in the policy of the State which are in operation.
3. Considering the fact the limited prayer, since Annexure P/14 would show

that the petition has been preferred before the Principal Secretary Department of Commerce and Industries, which has been sent by registered post on 03.10.2020, it is directed that the Principal Secretary Department of Commerce and Industries shall decide the same within a period of two months from the date of receipt of copy of this order.

4. With the above direction/observation, this writ petition stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge