

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(C) No. 2549 of 2020

Niros Ispat Pvt. Ltd. Having Its Office At 14/ A, Heavy Industrial Area, Bhilai, District Durg Chhattisgarh. Through Its Authorized Signatory.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Its Secretary, Department Of Industries, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Chief General Manager, District Trade And Industries Centre, Durg, District Durg Chhattisgarh.
3. Chief Electrical Inspector, Block - B, 2nd Floor, Indrawati Bhawan, Naya Raipur, District Raipur Chhattisgarh.

---- Respondents

For Petitioner : Mr. Abhishek Vinod Deshmukh & Mr. Aashish Anand,
Advocates

For State : Mr. Gagan Tiwari, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.01.2021

Heard

1. Learned counsel for the petitioner would submit that the petitioner was served with a notice of the electricity duty under Chhattisgarh Electricity Duty Act, 1949 and as per the Industrial Policy of 2009 to 2014, the petitioner industry was exempted to pay the electricity duty; however, the claim of the petitioner was initially rejected by the Industries Department on 22.01.2016. Therefore, as per the Electricity Duty Rules, 1949, an application for settlement of dispute under Rule 13 was preferred to the Chief Electrical Inspector, Office of Chief Electric Superintendent, which necessarily is required to be decided by the Department of Energy. The counsel therefore would submit that the State may be directed to decide the application of the petitioner, which was initially given on 17.04.2018 (Annexure P-5) and subsequently again given on 22.01.2020 (Annexure

P-6) in accordance with the then existing policy. He refers to the pleading Para 8.5 and would submit that the said application may be decided in accordance with law.

2. Considering the limited prayer of the petitioner, since the application has already been preferred on 17.04.2018 by Annexure P-5 to the Chief Electrical Inspector and subsequently on 22.01.2020 by Annexure P-6 to the Director, Industries & Chief Electrical Inspector, without any observation on merit, the respondents are directed to decide the same within a further period of 90 days from the date of receipt of a copy of this order.
3. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Aks