

ITEM NO.53

COURT NO.3

SECTION IV-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 6705/2023

(Arising out of impugned final judgment and order dated 09-02-2023 in CONT No. 866/2022 passed by the High Court Of Chhatisgarh At Bilaspur)

M/S VINAY INDUSTRIES

Petitioner(s)

VERSUS

ANIL TUTEJA & ORS.

Respondent(s)

(IA No. 166928/2023 - EXEMPTION FROM FILING O.T. AND IA No. 67096/2023 - EXEMPTION FROM FILING O.T.)

Date : 26-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
 HON'BLE MR. JUSTICE RAJESH BINDAL
 HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s)

Mrs. June Chaudhari, Sr. Adv.
 Mr. Uzmi Jameel Husain, Adv.
 Mr. Mohd. Parvez Dabas, Adv.
 Mr. Mohd. Shakim, Adv.
 Ms. Qurratulain, AOR

For Respondent(s)

Mr. P S Patwalia, Sr. Adv.
 Ms. Vibha Datta Makhija, Sr. Adv.
 Mr. Abhinay Sharma, Adv.
 Ms. S Laxmi Iyer, Adv.
 Ms. Deeksha Prakash, Adv.
 Ms. Parul Khurana, Adv.
 Mr. Abhinav Parihar, Adv.
 Mr. Vikrant Singh Bais, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. In pursuance of the order dated 12th February, 2024, Shri Arun Prasad, the present incumbent in the office of the (Director, Directorate of Industries, Udyog Bhawan) and Mr. Harish Kumar Saxena, the Chief General Manager, District Trade and Industries Center, Durg (C.G.) are personally present in Court.
2. Mr. P.S. Patwalia and Ms. Vibha Dutta Makhija, learned senior counsel appearing for the respondent(s) state that the rate at which the land was allotted to the present petitioner was on account of change of rule in 2015.
3. They, however, submit that this court is of the view that the petitioner is also entitled to allotment on the same rate at which it was allotted to M/s. Satna Minerals and Metal Pvt. Ltd. The authorities would require two weeks' time to do the needful.
4. We are inclined to grant two weeks' time to the respondent(s) to rectify the order of allotment issued to the petitioner and to allot the land to the petitioner on the similar rate as was allotted to M/s. Satna Minerals and Metal Pvt. Ltd.
5. List this matter after two weeks for compliance.
6. We make it clear that in the event an order, as stated hereinabove, is issued, the respondent(s) would be exonerated

of the contempt and they need not remain personally present in the Court.

7. However, if no fresh order(s) is issued, as aforesaid, the respondent(s) shall remain personally present in the Court on the next date of hearing.

8. We clarify that vide order dated 12th February, 2024, we had issued the notice since, *prima facie*, we found that in view of paragraph 9 of the order of the High Court, the petitioner was also directed to be allotted the land on the same terms as was allotted to M/s. Satna Minerals and Metal Pvt. Ltd.

(DEEPAK SINGH)
COURT MASTER (SH)

(ANJU KAPOOR)
COURT MASTER (NSH)