



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WP No. 1804 of 2002

Maharashtra Electros melt Ltd. & Others **Versus** The State Of Chhattisgarh &
Others
alongwith

WP/6514/2005, WPT/1336/2007, WPT/76/2012, WPT/33/2013,
WPT/177/2014, WPT/101/2015, WPT/137/2015, WPT/117/2016, WPT/75/2017,
WPT/76/2017, WPT/80/2017, WPT/81/2017, WPT/86/2017, WPT/88/2017,
WPT/90/2017, WPT/91/2017, WPT/280/2017 and WPT/344/2017.

01/08/2022	Heard Mr. Balbir Singh, learned Additional Solicitor General (in WP No. 1804/2002), assisted by Mr. Pawan Shree Agrawal, and Mr. Neelabh Dubey, Mr. S.K.Bagaria, learned senior counsel, (in WPT No. 1336/2007) assisted by Mr. Pawan Shree Agrawal, and Mr. Ajit Kumar Singh, Mr. Ashish Shrivastava, learned senior counsel, assisted by Mr. Aman Pandey, Mr. Anand Dadariya, Mr. Ashish Surana, Mr. Raja Sharma, Mr. Kunal Kapoor, Mr. Vinod Deshmukh, Mr. N.Naha Roy, learned counsel, appearing for the petitioners. Also heard Mr. Raghavendra Pradhan, learned Additional Advocate General and Mr. Vikram Sharma, learned Deputy



Government Advocate, appearing for the State of Chhattisgarh.

On 27.06.2022, this Court had passed the following order:

“On 18.04.2022, this Court had passed following order:

“Mr. Jitendra Pali, learned Deputy Advocate General submits that the State of Chhattisgarh is in the process of finalizing the settlement scheme, which if brought into effect, may redress the grievance of the petitioners. For the aforesaid purpose, Mr. Pali prays for taking up these matters after summer vacation.

Mr. S.K. Bagaria, learned senior counsel, Mr. Balbir Singh, Mr. Pawan Shree Agrawal, Mr. Neelabh Dubey, Mr. Raja Sharma, Mr. Anand Dadariya and Mr. Ashish Surana, learned counsel, appearing for the respective petitioners have no objection to grant of prayer for adjournment made for the purpose of finalizing the settlement scheme.

In that view of the matter, Registry will list these cases on 27th of June, 2022.”

Today, Mr. Jitendra Pali, learned Deputy Advocate General, appearing for the State submits that the settlement scheme is yet to be finalized and therefore,



further two months' time may be granted.

It was only on the basis of the submission made that the State is in the process of finalizing a settlement scheme that we had earlier granted two months' time, notwithstanding the fact that there is a writ petition of the year 2002 pending consideration.

We are not informed, in reality, what stage the settlement scheme has reached.

Considering the matter in its entirety, Registry is directed to list this case on 01.08.2022.

If the settlement scheme is not finalized by then, it is made clear that the cases will be taken up for final hearing and disposal, at this stage.

Mr. S.K. Bagaria, learned senior counsel, Mr. Ashish Surana, senior counsel assisted by Mr. Aman Pandey, Mr. Ashish Surana, Mr. Anand Dadariya, Mr. Chetan Singh Chauhan, Mr. Raja Sharma, and Mr. Kunal Kapoor, learned counsel for the respective petitioners, are present.”

Despite the aforesaid order making it clear that if the settlement scheme is not finalised before the next date fixed i.e.



01.08.2022, the case would be taken up for final hearing and disposal, Mr. Pradhan makes a prayer for adjournment of these cases on the ground that though policy decision has been taken and a draft has also been prepared, the same is not yet settled and deliberations at various levels are yet to take place.

Having regard to the order passed by this Court on 27.06.2022, the Court was not inclined to grant any adjournment to the respondents. However, considering the submissions of the learned counsel for the petitioners that if the State is really serious in finalising the settlement scheme, they would not object to grant of some more time as may be considered appropriate by this Court, we deem it appropriate to consider the request for adjournment.

Though a submission is made by Mr. Pradhan that a policy decision has been taken and the draft has also been prepared, no affidavit has been filed by any competent officer of the State in this regard.

This Court had already noticed that these cases are dragged on from 18.04.2022 on the ground that the State is in the process of finalising the settlement scheme.

Considering the matter in its entirety, we direct the Chief Secretary to the Government of Chhattisgarh to file an affidavit



within a period of ten days from today indicating as to whether any policy decision has been taken towards framing of the settlement scheme and a draft to that effect has been prepared, and if the same are in the affirmative, the time-frame that may be required to give final shape to the scheme in question.

Taking that view, we direct the Registry to list these cases on 18th of August, 2022.

Sd/-
(Arup Kumar Goswami)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge