



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WP No. 1804 of 2002

Maharashtra Electros melt Ltd. And Ors.

Versus

The State of Chhattisgarh And Ors.

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

14.12.2022	Heard Mr. Ashish Shrivastava, learned senior counsel assisted by Mr. Aman Pandey and Mr. Neelabh Dubey, learned counsel for the respective petitioners. Also heard Mr. Raghvendra Pradhan, learned Additional Advocate General with Mr. Vikram Sharma, learned Deputy Government Advocate, appearing for the State. On 18.04.2022, a submission was made by Mr. Jitendra Pali, learned Deputy Advocate General that the process of finalizing the settlement scheme was in progress, and accordingly, he had prayed for taking up these matters after summer vacation. Accordingly, Registry was directed to list these cases on 27.06.2022. On 27.06.2022, Mr. Jitendra Pali, learned Deputy Advocate General, had submitted that the settlement scheme is yet to be



finalized and prayed for two months' time. Considering the submission of Mr. Pali, Registry was directed to list these cases on 01.08.2022. It was also observed that if the settlement scheme was not finalized by then, the cases would be taken up for final hearing and disposal, at that stage.

On 01.08.2022, Mr. Raghvendra Pradhan, learned Additional Advocate General made a prayer for adjournment of these cases on the ground that a policy decision had been taken and draft had also been prepared, but the same was not yet settled and deliberations at various levels are yet to take place. Though the Court was not inclined to grant any adjournment to the respondents, however, considering the submissions of learned counsel for the petitioners that if the State was really serious in finalizing the settlement scheme, they would not object to grant of some more time as may be considered appropriate by the Court, this Court observed as follows :

“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.”

On 18.08.2022, taking note of the affidavit filed by the Chief Secretary, Registry was directed to list these cases on 16.11.2022 making it clear that in case the scheme is not finalized by then, these cases will be taken up for final hearing.

It would be appropriate to extract the relevant part of order dated 16.11.2022, which is as follows :

“Mr. Tankha submits that Scheme at the level of Chief Secretary has been finalized on 07.11.2022 and is now awaiting Cabinet approval and that the Cabinet is expected to meet on 26.11.2022. It is submitted by him that though Scheme is not notified till today and though this Court had earlier observed that if the Scheme is not notified by 16.11.2022, the case will be taken up for final hearing, since earnest efforts have been made by the State, one more opportunity ought to be granted so that matter can be settled amicably to the extent possible. Accordingly, he prays for taking up this matter after three weeks.



The learned counsel for the parties do not object to grant of further three weeks of time for the said purpose.

Considering the matter in its entirety, prayer of Mr. Tankha is accepted.

List these cases on 14.12.2022.”

Today, Mr. Pradhan makes a prayer for adjournment for one more month as the settlement scheme is yet to be finalized.

Having regard to the orders passed as noted above, while rejecting the prayer made by Mr. Pradhan, in order to enable the parties to prepare the cases for hearing, Registry is directed to list these cases under the same heading, namely, ‘Orders on IA’, on 06.02.2023.

Sd/-

(Arup Kumar Goswami)
Chief Justice

Sd/-

(Arvind Singh Chandel)
Judge