

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPC No. 983 of 2023

- Steel Authority of India Limited, Bhilai Steel Plant, Through The Chief Executive Officer, Bhilai Steel Plant, Ispat Bhawan, Post Bhilai Police Station Bhatti Thana, District : Durg, Chhattisgarh 499001,

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Department of Forest & Climate Change, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District : Raipur, Chhattisgarh
2. The Divisional Forest Officer Durg (Now Balod), District : Durg, Chhattisgarh
3. Union of India Through The Secretary, Ministry of Environment Forest & Climate Change, Paryavaran Bhawan, Jorbagh New Delhi, District : New Delhi, Delhi

---- Respondents

01/03/2023	Mr. Ankit Singhal, Counsel for the petitioner. Mr. Chandresh Shrivastava, Addl. Advocate General for the State. Mr. Ramakant Mishra, DSG for Union of India. Heard on I.A. No.01/2023, an application for grant of interim relief. Learned counsel for the petitioner has assailed the impugned demand notice dated 17.05.2013 read with the impugned demand notice dated 06.12.2022 and 22.12.2022 issued by the Divisional Forest Officer/respondent No.2 whereby, the respondents have levied and demanded transit fee amounting to Rs.44,79,12,730/- for the period 2001-02 to 2012-13 (till October 2013), under the provisions of Chhattisgarh Transit (Forest Produce) Rules 2001 and consequential notification dated 14.06.2002 @ 7.00 per tonne on the transportation of iron ore.

Learned counsel for the petitioner would submit that he has already deposited a sum of Rs.29,86,08,488/- against alleged impugned demand of Rs.44,79,12,730/- which is about 67% and as such the petitioner is entitled for grant of interim relief.

Considering the fact that the petitioner has deposited an amount of Rs.29,86,08,488/-, the effect and operation of impugned demand notice dated 06.12.2022 and notice dated 22.12.2022 shall remain stayed till the next date of hearing.

It is made clear that the payment of current period transit fee is a condition precedent for transportation of ore of these mines of the petitioner.

List this case along with WPC No. 5794/2022.

**Sd/-
(Rajani Dubey)
Judge**