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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5596/2018**

CEPCO INDUSTRIES PRIVATE LIMITED Petitioner
Through **Mr. Neeraj Kishan Kaul, Sr. Adv.**
with Mr. Jai Sahai Endlaw and Ms.
Hansa Kaul, Advs.

versus

UNION OF INDIA Respondent
Through **Mr. Ajay Digpaul, CGSC**

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER
% 23.05.2018

CM APP No. 21813/2018

1. Allowed, subject to all exceptions.

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2. This is a second round of litigation. In the first round, the petitioner had filed a writ petition, being: W.P.(C) No.2123/2018. This writ petition was disposed of vide order dated 7.3.2018.

3. Mr. Kaul, learned senior counsel, who, appears on behalf of the petitioner says that the impugned order does not give any reason and/or rationale for seeking misuse charges in the sum equivalent to Rs.391,06,80,928/-. According to Mr. Kaul, the demand which is raised for a period commencing from 1991 is wholly unsustainable.

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4. Issue notice. Mr. Digpaul accepts notice on behalf of the respondent.

4.1. Learned counsel says that he will revert with instructions as to how demand is raised from 1991.

5. Apart from anything else, Mr. Digpaul will also place on record as to what will be, according to the respondent, the demand if it commences from 2005 or in the alternative from 2013.

5.1 The said calculation will also be placed on record.

6. Furthermore, Mr. Digpaul says that the respondent will not take any coercive measures against the petitioner in the meanwhile.

6.1 The said statement is taken on record.

7. Renotify the matter on 27.8.2018.

RAJIV SHAKDHER, J

MAY 23, 2018

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