

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W. P. (C) No. 1028 of 2023

Banwari Lal Newatia

... .. Petitioner

Versus

The State of Jharkhand & Others

... .. Respondents

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner

: Mr. Rahul Kumar Gupta, Advocate

For the Respondents

: AC to G. A. I

4/03.05.2023 Defect as pointed out by the office is ignored.

It has been submitted by Mr. Rahul Kumar Gupta, learned counsel for the petitioner that the impugned notice dated 06.01.2023 passed in Misc. Case No. 1 of 2022-23 issued by the respondent no. 2 is bad in law on account of the fact that the same has been instituted after almost 34 years from the date of which written consent was given by the Deputy Commissioner which is contrary to the provisions of Section 49(5) of the CNT Act which provides initiation of a proceeding within a period of 12 years from the date written consent is given by the Deputy Commissioner.

Issue notice to the respondent no. 2 as to why this application be not admitted and/or be disposed of at the admission stage itself for which requisites under registered cover with A/d as well as through ordinary process be filed within 10 days.

Learned AC to GA I is allowed four weeks' time to file counter affidavit.

Let this matter be listed under the heading 'For Admission' on 04.07.2023.

Until further orders, the notice dated 06.01.2023 issued by the respondent no. 2 in connection with Misc. Case No. 1 of 2022-23 shall remain stayed.

(Rongon Mukhopadhyay, J)