

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 3198 of 2022

M/S CREO Sales India Pvt. Limited, Dandiya, District- Ranchi through its
Director Santosh Kumar Petitioner

Versus

The State of Jharkhand, through its Secretary, Department of Industries, Mines
and Geology, Government of Jharkhand, Ranchi & Others Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Amitesh Kumar Geasen, Advocate
Ms. Saman Ahmad, Advocate
For Respondents : Mr. Ashish Kumar, A.C. to G.A.-II

03/11.08.2022

I.A. No. 6057/2022

The present interlocutory application has been filed on behalf of the petitioner seeking stay of operation of the impugned letter No. 2089 dated 28.12.2021 issued by the Director, Mines, Department of Mines and Geology, Government of Jharkhand, Ranchi and for restraining the respondent-State of Jharkhand from levying and collecting Toll Tax in the form of Composition User Fee from the petitioner at the time of generation of Mining Challan/Transport Challan used for transportation of minerals, during pendency of the present writ petition.

Learned counsel for the petitioner submits that a batch of the writ petitions led by W.P.(C) No. 1031/2022 involving similar issue were initially filed before this Court which are pending consideration. Learned counsel while referring to the order dated 30.03.2022 passed in the said cases, submits that learned A.G. appearing on behalf of the respondents had submitted before this Court that the issue raised in the said writ petitions were being examined by the concerned authorities and therefore no coercive action would be taken against those petitioners for realization of the Composition User Fee.

Mr. Ashish Kumar, learned A.C. to G.A.-II appearing on behalf of the respondents, does not dispute the said submission of learned counsel for the petitioner. He, however, prays for and is allowed four weeks' time to seek instruction and file counter affidavit.

Having heard learned counsel for the parties and keeping in view that in the similar writ petitions led by W.P.(C) No. 1031/2022, the submission of learned A.G. has already been recorded to the extent that no coercive action will be taken for realization of the Composition User Fee, there is no need to pass any interim order in this case.

The present interlocutory application stands disposed of.

Put up this case along with W.P.(C) No. 1031/2022 and other analogous cases.