WP(C) No. 340 of 2014

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

06.02.2015

No one is present for the petitioner.

Mr ND Chullai, learned senior GA, represents the State respondents.

Mr SP Mahanta, learned senior counsel, represents the Cantonment Board.

Mr SC Shyam, learned senior CGC, represents the respondents-Union of India.

District and Sessions Judge, Shillong is directed to submit the case record of Title Suit No. 12(H)2014 pending in the Court of Assistant District Judge, Shillong, before the next date of hearing.

List the matter on 20.02.2015.

JUDGE CHIEF JUSTICE
(ACTING)

dev

Crl Appeal No. 3 of 2011

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

06.02.2015

Mr R Deb Nath, learned CGC, appears for the appellants.

Mr SP Mahanta, Amicus Curiae, represents the respondents.

Learned counsel for the appellants prays for and is granted two weeks' time to prepare and argue the matter.

List on 20.02.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

WA No. 11 of 2013
IN WP(C) No. 230 of 2011

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

06.02.2015

Mr S Sen Gupta, learned GA, appears for the appellants.

Mr HS Thangkhiew, learned senior counsel, assisted by Mr PN Nongbri, learned counsel, represents respondents No. 1 and 2.

Ms SG Momin, learned counsel, represents respondent No. 3.

Mr S Dey, learned counsel, represents respondent No. 4.

Learned counsel for the appellants prays for and is granted ten days' time to complete the pleadings in proper order.

List on 16.02.2015.

JUDGE CHIEF JUSTICE
(ACTING)

dev

WP(C) No. 9 of 2015

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

06.02.2015

Mr S Jindal, learned counsel, appears for the petitioner.

Mr R Deb Nath, learned CGC, represents the respondents.

We have heard learned counsel for the petitioner.

Admittedly, the 1997 Industrial Policy of Central Government for 100% excise exemption was for ten years. Pursuant thereto the petitioner set up industrial units and started production in 2003 and 2005. However, the said 1997 Policy was extended further for another ten years. The Industrial Policy only reflected the intention of the Central Government to provide exemption which was sought to be implemented by the 1999 Notification which was also operative for a period of ten years, namely, upto 2009. It is submitted that since the 1999 notification was amended in 2008, one year before its life, and that too retrospectively, the law of promissory estoppel would apply. But, that nevertheless since the Industrial Policy 1997 was only for ten years upto 2007 and industrial units of petitioner were set up in 2003 and 2005, upon extension of the period for another ten years only in 2007, there could not have been an assurance from the Central Government to the petitioner in 2003 and 2005 so as to argue today that the provisions of promissory estoppel would apply in his case. Even if there was amendment in implementing notification of 1999 in 2008, one year before it was supposed to expire, that would also not add any merit to the case for the reason that the petitioner has come to the Court in 2015. At this stage, learned counsel informs that some other similar matters are listed on 23.02.2015, therefore, on his persistent request, we list this matter for 23.02.2015.

JUDGE CHIEF JUSTICE
(ACTING)

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