
(2003) 11 JH CK 0029
In the Jharkhand High Court
Case No : LPA No. 692 of 2003

Asgar Alam

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 04-11-2003

Acts Referred:

Citation : (2003) 4 JCR 714

Hon'ble Judges : P.K. Balasubramanyan, C.J.;Tapen Sen, J

Bench : Division Bench

Advocate : Rajiv Ranjan, Abhay Kumar Mishra and Faizur Rahman, for the Appellant; A.K. Singh, for the Respondent

Judgement

Tapen Sen, J.—Since counsel for the respondents is not ready for a detailed hearing, the matter could not be disposed of today itself.

2. Admit.

3. On hearing counsel for the appellant, we are satisfied that the appellant has made out a prima facie case for an interim protection permitting him to collect the vehicle parking and entry fees in the Rock Garden at Ranchi. Counsel for the appellant submits that the balance amount due, namely, Rs. 3,87,000/- will be deposited by the appellant straight-way without availing of the facility for payment of the amount in instalments when it was pointed out by counsel for the Ranchi Regional Development Authority that the Instalment falling due on 31.7.2002 was not paid by the appellant. In that situation, we direct that if the appellant deposits the balance amount of Rs. 3,87,000/- with the Ranchi Regional Development Authority towards the contract in question and also files a statement giving up all claims for -compensation for the period he could not collect the vehicle parking fees, he will be allowed to collect the vehicle parking fees and entry fees at the original rate till 31.3.2004 or until further orders if he fails to comply with the conditions. On the deposit being made, the appellant can start the collection work.

4. In view of the fact that we have permitted the appellant to continue the collection for the current financial year, no question of further tender by the Ranchi Regional Development Authority arises. However, it may do so only for the period commencing from 1.4.2004.