

A M/S BABA TRADING CO.
v.
VIDARBHA CHAMBER OF COMMERCE & INDUSTRIES
& ORS.
(Civil Appeal Nos.390-391 of 2009)

B JANUARY 23, 2009

**[DR. ARIJIT PASAYAT AND ASOK KUMAR
GANGULY, JJ.]**

C *LEAVE AND LICENCE:*

*Licence – Extending the licence period – Payment for
licence fee – Directions given while disposing of the appeals.*

D CIVIL APPELLATE JURISDICTION : Civil Appeal Nos.
390-391 of 2009.

E From the Judgment and Order dated 20.10.2008 and
1.12.2008 and 1.12.2008 of the High Court of Judicature at
Bombay, Nagpur Bench, Nagpur in W.P. No. 392 of 2008 and
MCA (Review) No. 1348 of 2008 in W.P. No. 392 of 2008
respectively.

Gaurav Agrawal for the Appellant.

F Rajiv Dhawan, Amol Suryavanshi, Rameshwar Prasad
Goyal R.S. Hegde Chandra Prakash, Rahul Tyagi, J.K. Nayyar,
Aswhani Garg, P.P. Singh, Venkateshwara Rao Anumolu,
Prabhakar Parnam, Satyajit A. Desai, Anagha S. Desai, Sanjay
V. Kharde and Asha G.Nair for the Respondents.

G The Judgment of the Court was delivered by

DR. ARIJIT PASAYAT, J.1. Leave granted.

2. After hearing learned counsel for the parties we dispose
of the appeals with following directions:

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& INDUSTRIES & ORS. [DR. ARIJIT PASAYAT, J.]

3. The appellant shall be permitted to continue as licensee till the period ending 30th September, 2009. He has to pay Rs. 7,62,48,333/- p.a. The amount shall be payable in 12 monthly instalments. If any amount has already been paid, the same shall be duly adjusted. Needless to say, if any amount is payable for the period ending on 30th January, 2009, the same shall be paid along with instalment due for February, 2009. The respondent No. 6 i.e. M/s. Joshi Freight Carriers Dhule, shall be given licence for the subsequent two years, i.e. period ending on 30th September, 2011 at the aforesaid rate of Rs. 7,62,48,333/- p.a. payable in 12 monthly instalments basis. The earnest money, if any, deposited by respondent No. 6 shall be returned to be re-deposited by 1st October, 2009.

4. The other I.As and petitions are disposed of.

5. The appeals are disposed of accordingly.

G.N.

Appeals disposed of.