

## **M/s. 22nd Century Technologies Inc. and Another Vs Chandigarh Administration and Others**

**Court:** High Court Of Punjab And Haryana At Chandigarh

**Date of Decision:** Aug. 20, 2013

**Hon'ble Judges:** Satish Kumar Mittal, J; Mahavir S. Chauhan, J

**Bench:** Division Bench

**Advocate:** Ashwani Talwar, for the Appellant;

### **Judgement**

Satish Kumar Mittal, J.

Petitioner No. 1 (a foreign company) was issued a Letter of Intent dated 8.5.2008 (Annexure P-1) on lease hold

basis, in respect of a site measuring 0.67 acres in Phase-II, Rajiv Gandhi Chandigarh Technology Park. As per the RBI guidelines, investment by

foreign companies in India is to be made through a Special Purpose Vehicle in the form of 100% wholly owned Indian subsidiary company to be

registered in India. It is the case of petitioner No. 1 that in order to get the regular allotment letter issued in favour of 100% wholly owned Indian

subsidiary company, M/s. 22nd Century Software Solutions (India) Pvt. Ltd., Chandigarh (petitioner No. 2) was incorporated on 19.8.2008 and

thereafter, in spite of several requests made by the petitioners to issue regular allotment letter in the name of petitioner No. 2 company, the same

was not issued, whereas the similarly situated companies have been issued the regular allotment letters. It is the case of the petitioners that in this

regard, a legal notice dated 4.4.2013 (Annexure P-21) was served upon the respondents, but the same has not been decided so far. After hearing

learned counsel for the petitioners, without issuing notice of motion as it will un-necessary delay the matter, we dispose of this petition with a

direction to the Estate Officer, UT, Chandigarh (respondent No. 4 herein) to consider and decide the aforesaid legal notice dated 4.4.2013 in

accordance with law, by passing a speaking order, expeditiously, preferably within a period of three months.