

(2013) 08 P&H CK 0620

High Court Of Punjab And Haryana At Chandigarh

Case No: CWP No. 18098 of 2013

M/s. 22nd Century
Technologies Inc. and
Another

APPELLANT

Vs

Chandigarh
Administration and
Others

RESPONDENT

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.