

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.268 of 2014

In
Civil Writ Jurisdiction Case No. 72 of 2013

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M/S Maa Durga Iron Equipment Works, Through Its Proprietor Shekhar Chandra S/O Late Aditya Prasad R/O Nai Sarai, Pratap Nagar, P.O. And P.S. Ramgarh Cant, District - Ramgarh (Jharkhand)

.... Petitioner/s

Versus

1. Rakesh Sinha, Chairman Cum Managing Director, Eastern Coal Fields Limited, P.O. Dishergarh, Sanctoria, District - Burdwan, West Bengal
2. V.K. Singh, Chief Sales Manager, Eastern Coal Fields Limited, Coal House, Kolkata, P.O. Dishergarh, Sanctoria, District - Burdwan, W.B.
3. P.C. Mukharji, Dy. Chief Sales Manager, Eastern Coal Fields Limited, Sanctoria, District - Vardhman (West Bengal), E.C.L. Coal House, Kolkata
4. J.K. Malti, Sales Manager, Eastern Coal Fields Limited, Computer Section-15, Park Street, Kolkata
5. Sanjay Halder, Computer Section, Senior Sales Officer, Eastern Coal Fields Limited, Computer Section - 15, Park Street, Kolkata

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Verma

For the Respondent/s : Mr. Vishwa Mohan Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 11-02-2015 Heard the parties.

The application raises a grievance that the order dated 05.07.2013 passed in CWJC No. 72 of 2013 has been willfully deliberately violated/disobeyed by the opposite parties-officials of the ECL.

On going through the order dated 05.07.2013 passed in CWJC No. 72 of 2013 it appears that no substantive relief was granted to the petitioner. However, in the concluding portion it was observed that if any application is filed by the petitioner in the light of the amended coal allotment policy the same shall be considered and disposed of by the respondent ECL within eight weeks. Annexure-2 is an application/representation filed by the petitioner in this regard. It does not appear therefrom that any such

prayer was made enlisting the reasons therefor for allotment of coal under the amended policy.

In the show cause the opposite party in paragraph 11 has stated as under:-

“11. That the deponent is ready to dispose of any representation if filed by the petitioner in accordance with the new Coal Distribution Policy.”

Counsel for the petitioner relying on the said statement states that appropriate application shall now be filed for consideration by the respondent ECL.

On going through the material placed on record, this Court is not satisfied that a case for contempt is made out. The contempt application is dismissed.

Dismissal of this application shall not preclude the petitioner from making a fresh application in the light of the steps taken by the ECL in the show cause.

(Kishore Kumar Mandal, J)

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