

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 429 of 2015**

Shree Nakoda Ispat Limited, Having its registered office at Near Railway Crossing, Mova Post Office Shankar Nagar, Raipur, District Raipur, Chhattisgarh, 492007.

---- Petitioner**Versus**

1. Union of India, through Secretary, Ministry of Coal, Shastri Bhawan, New Delhi 110001
2. Coal India Limited, Through Director (Marketing) 10, Netaji Subhash Road, Kolkata, West Bengal 700001
3. South Eastern Coalfields Limited, Through CMD, Seepat Road, Bilaspur, Chhattisgarh, 495006

---- Respondents

For Petitioner	:	Shri Ratan K Singh, Shri Vishnu Koshta and Shri Arvind Kumar Sharma, Advocates.
For Respondent/Union of India	:	Shri Narendra Kumar Vyas, Assistant Solicitor General
For Respondent No. 3	:	Shri Vaibhav Shukla, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Order on Board**Per Navin Sinha, Chief Justice****23/07/2015**

1. IA No. 2 has been filed for amendment of cause title with regard to the Petitioner.
2. Learned Counsel for the Respondents have no objection to the same.
3. Considering that the amendment is very formal in nature, let the office make necessary correction accordingly. Permission is granted to the Petitioner to make correction in the writ application during course of the day.
4. In this writ application, the Petitioner is aggrieved by order dated 15.12.2010 issued by Respondent No. 3, revoking the letter of assurance granted in favour of the Petitioner for assured supplies of coal for its captive power plant and another communication dated 30.7.2014 from Respondent No. 3 to Respondent No. 2.

5. Despite repeated adjournments, counter-affidavit has not been filed on behalf of the Respondents till date and today also a prayer had been made for adjournment with regard to the same.

6. However, Learned Counsel for the parties are agreed that since communication dated 30.7.2014 is not addressed to the Petitioner it may not be taken into consideration for the present. Against the order dated 15.12.2010, the Petitioner has already filed a detailed representation dated 13.5.2014 before Respondent No.1. Appropriate directions can be issued to the Respondent for considering and disposing the same by a reasoned and speaking order.

7. In view of the consensus between the Counsel for the parties, it is ordered that Respondent No. 1 shall consider and dispose the representation dated 13.5.2014 addressed to it by a reasoned and speaking order displaying application of mind to the grounds urged in the representation. If the Petitioner requests for personal hearing, considering that facts are also involved, they will be given a personal hearing for fairness in the decision making process.

8. Let such consideration be done in the manner directed and a reasoned and speaking order passed within a maximum period of three months from the date of receipt and/or production of a copy of this order.

9. The writ application stands disposed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE