

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16524 of 2012

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M/s Bhawani Coke Industries Private Limited, a company incorporated under the provisions of Companies Act, 1956 having its Plant at Bhupatpur, P.O. Series, District Aurangabad and Administrative Office at Singh Kothi, G.T. Road, P.S. Town and District Aurangabad through one of its Director, Sunil Kumar Singh Son of Late Ram Naresh Singh, Resident of Singh Kothi, G.T. Road, P.O. Series, Town and District Aurangabad

.... Petitioner

Versus

1. The Central Coalfields Ltd., a Subsidiary of Coal India Ltd., [Sales & Marketing Department] Darbhanga House, Ranchi through its Chairman-Cum-Managing Director.

2. The General Manager [Sales & Marketing], Central Coalfields Ltd., Darbhanga House, Ranchi

.... Respondents

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Appearance :

For the Petitioner : Mr. Alok Kumar Agarwal, Adv.

For the Respondents : Mr. Vishwa Mohan Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-08-2016

The present writ petition has been filed for the following reliefs:

“(i) For quashing the order communicated in the unit of the petitioner situated at Barun (Aurangabad) by hand delivery vide letter no. 4707-12 dated 22.05.2012 (Annexure-8) for suspending the Coal dispatches to the petitioner without any prior notice and also without assigning any reason and for consequential order for restoration of supply;

(ii) For issuance of an appropriate writ/direction to the respondent CCL to restore the supply of Coal to the petitioner which has been arbitrarily and illegally suspended with effect from 22.05.2012 even though nothing adverse material against the unit of the petitioner has been found in a joint inspection hence the suspension

of supply is wholly illegal, arbitrary and without any authority of law;

(iii) For interim direction to resume the Coal supply to the unit of the petitioner as the unit of the petitioner is lying closed for want of supply of the only raw material;

(iv) For a direction to the respondent that till the suspension is continued the amount deposited by the petitioner for supply of Coal which has been suspended be reverted back in the account of the petitioner through RTGS; and for any other relief(s) for which the petitioner may be found entitled to in the facts & circumstances of the present case”.

2. At the very outset, learned counsel for the petitioner submits that in view of subsequent developments whereby the Fuel Supply Agreement has since been terminated, the present writ petition has become infructuous.

3. In view of the aforesaid stand of the petitioner, the writ petition stands disposed.

(Vikash Jain, J)

Md. Ibrarul/Chandran

AFR/NAFR	NAFR
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