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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2776 of 2016**

- M/s Niranjnlal Agrawal A Proprietorship Firm, Through : Its Proprietor, Namely Shri Raj Agrawal, S/o Niranjan Agrawal, Aged About 34 Years, R/o. Tulsi Marg, Korba, Police Station And Post Korba, Civil And Revenue District Korba (Chhattisgarh)

---- Petitioner**Versus**

1. South Eastern Coalfields Limited A Subsidiary Of Coal India Ltd., Through : Its Chief General Manager, Bishrampur Area, Post Bishrampur, Amgaon Colliery, District Surguja (Chhattisgarh)
2. General Manager (O P R N), S. E. C. L., Bishrampur Area, District Surguja (Chhattisgarh)
3. Sub- Area Manager/ Engineer In- Charge, Bishrampur, Amgaon Sub- Area, S. E. C. L., Bishrampur Area, District Surguja (Chhattisgarh)
4. General Manager, C M C, S. E. C. L. Bhawan, Seepat Road, Bilaspur, District Bilaspur (Chhattisgarh)
5. Engineer Incharge/ Sub Area Manager, Bishrampur, Amgaon Sub- Area, S. E. C. L., Bishrampur Area, District Surguja (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Manoj Paranjpe, Advocate
For Respondents-SECL	:	Shri Vaibhav Shukla, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****10/11/2016**

1. This writ petition is directed against the order passed by the SECL directing recovery of Rs.5,46,48,221.26 from the petitioner.
2. Admittedly, the dispute arises out of a work order issued in favour of the petitioner and further that conciliation proceedings in terms of Clause 12 of the Contract titled as "Settlement of Disputes" is pending consideration

before the concerned authority.

3. Shri Vaibhav Shukla, learned counsel appearing for the respondent SECL, on advance notice, would submit, on instructions, that the proceedings pending before the authorities of SECL in terms of Clause 12 of the Contract shall be considered and decided at the earliest, preferably within a period of one month, however, he would submit that the petitioner should also participated and assist the authorities in the said proceedings. He would also submit that till the proceedings are pending before the concerned authority in terms of Clause 12 of the Contract, the impugned order shall not be acted upon.
4. In view of the statement made by learned counsel for the respondent SECL nothing survives for adjudication in the matter. Let the proceedings be completed within time, as stated above, subject however, to co-operation by both the parties.

Sd/-

Judge

Prashant Kumar Mishra

Ashu