

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition No. 3685 of 2005**

Shree Cement Limited, A company registered under the Companies Act, 1956, Registered Office and Works at Bangur Nagar, Post Box No. 33, Beawar -305 901 (Rajasthan).

---- **Petitioner****Versus**

1. Union of India, Through Secretary, Ministry of Coal, Shastri Nagar, New Delhi.
2. Coal India Limited, Through its Chairman, 15, Park Street, Kolkata -700016 (West Bengal)
3. South Eastern Coalfields Limited, through its Chairman-cum-Managing Director, Seepat Road, Bilaspur (C.G.)

---- **Respondents**

For Petitioners : Shri B.D. Guru, Advocate.

For Respondent No. 3/SECL : Shri Vinod Deshmukh, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****20/11/2017**

(1) Learned counsel appearing for the petitioner would submit that respondent No. 3 has charged 10% premium on the coal supplied from such collieries, which were never notified for the purpose of charging 10% premium, which runs contrary to the judgment rendered by the Madhya Pradesh High Court in the case of **Gujrar Ambuja Cement and others etc. Vs. Union of India and another¹** and for which, he made several representations to the respondent No. 3/SECL but the same have not been decided till date, therefore, the same may be directed to be decided expeditiously.

(2) Prayer appears to be fair & reasonable and accordingly the same is

¹ AIR 2000 MP 194.

allowed.

(3) Be that as it may, respondent No. 3-SECL is directed to consider and decide the petitioner's representation in light of decision rendered by the Madhya Pradesh High Court in the matter of **Gujrar Ambuja Cement and others etc.** (supra) expeditiously preferably within a period of two months from the date of receipt of certified copy of this order after affording due opportunity of hearing to both the parties and pass reasoned and speaking order on its own merit in accordance with law.

(4) With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-