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HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2720 of 2016

3041-M/s Vijay Bahadur Thapa Security Agency Through : Its Proprietor Lt. Col. Vijay Bahadur Thapa (Retired), S/o Shri Kishan Singh Thapa, Aged About 53 Years, R/o 160/11 B. L. Marg, Neelkanth Vihar, District Dehradun (U K)

---- Petitioner

Versus

1. Director General Resettlement Directorate General Resettlement Government Of India, Ministry Of Defence, West Block I V, R K Puram, New Delhi 110066.
2. Joint Director (Employment), Directorate General Resettlement, Ministry Of Defence, West Block I V, R K Puram, New Delhi 110066.
3. South Eastern Coalfields Limited, Through Chairman- Cum- Managing Director, South Eastern Coalfields Limited, Seepat Road, P. S. Sarkanda, Civil And Revenue District Bilaspur (Chhattisgarh)
4. 2817- M/s Rakesh Chandra Security Agency, Through Its Proprietor- Gp. Capt. Rakesh Chandra Vidyarthi (Retd.), 1st Floor, Kamal Bhawan, Near Satya Sai Samiti, Guru Nanak Chowk, Torwa, District Bilaspur (Chhattisgarh)
5. 3762- Praveen Joshi Security Agency, Proprietor Praveen Joshi, F- 403, Gajendar Vihar, A W H O Colony, Dhoolcot, Dehradun (U K)
6. Bharat Sanchar Nigam Limited, Through, General Manager, Bharat Sanchar Nigam Limited, Chakradhar Nagar, District Raigarh (Chhattisgarh)
7. Bharat Petroleum Corporation Limited, Through Its Managing Director, L P G Territory B P C L, 32, Saheed Veer Narain Complex (1st Floor), District Raipur (Chhattisgarh)
8. N. T. P. C. Lara Plant Site, Through Its Managing Director, Lara Super Thermal Power Project Village Chhapora, P. O./ P. S. Pussore, District Raigarh (Chhattisgarh)
9. All India Radio P B, Bilaspur, Through Its Director, Nutan Colony, Sarkanda, District Bilaspur (Chhattisgarh)
10. State Bank Of India, Raipur, Through Its Manager, State Bank Of India, Shyam Nagar Rd, Janta Colony, District Raipur, (Chhattisgarh)
11. B S N L Raipur, Through General Manager, Telephone Exchange Campus, Vidhan Sabha, Khamhardih, District Raipur (Chhattisgarh)
12. All India Radio P B, Raigarh, Dhimrapur Chowk, Kotra By- Pass Road, Near Maa Kali Marbel, District Raigarh (Chhattisgarh) 496001.
13. Power Grid Corporation Of Ltd, Raigarh, Through Its Chairman- Cum- Managing Director, Power Grid Corporation Of Ltd. Nandeli Road Village And P O Kotra, District Raigarh (Chhattisgarh)

14. Bharat Petroleum Corporation Limited, Through Its Managing Director, Bhilai, Pulgaon Rd, Sindhi Colony, Malviya Nagar, District Durg (Chhattisgarh) 491001
15. B S N L Durg, Through General Manager, Bhilai Nagar, Sector- 1, Bhilai, District Durg (Chhattisgarh)
16. Hindustan Petroleum Corporation Limited, Korba, Through Its Director, M. P. Nagar Phase I, Korba, District Korba (Chhattisgarh)- 495677
17. B S N L Raipur, Through General Manager, Khamhardih, Vidhan Sabha Road, Mowa, Raipur (Chhattisgarh) 492007.
18. B S N L Ambikapur, Through, Telephone District Manager, B S N L Jail Road, Ambikapur, Distt. Surguja (Chhattisgarh)
19. D H P T- P B, Through Its Director, Dhpt, Prasar Bharti, Ambikapur (Chhattisgarh)
20. Power Grid Corporation Of Ltd, Raigarh, Through Its Chairman- Cum- Managing Director, 4th Floor, C S I D C Building, Mahadev Ghat Road Raipur (Chhattisgarh) 492013.
21. Power Grid Corporation Of Ltd, Raigarh, Through Its General Manager, P G C I L Durg, 4th Floor, C S I D C Building, Mahadev Ghat Road Raipur (Chhattisgarh) 492013.
22. N T P C Raigarh, Through Its General Manager, Village Bodajhariya Distt. Raigarh (Chhattisgarh)
23. All India Radio- P B Jagdalpur, Through Its Manager, All India Radio, Post Bag No. 61 Jagdalpur (Chhattisgarh)
24. Airport Authority Of India, S. V. Airport, Raipur, Through Airport Director, Airports Authority Of India, Civil Aerodrome Swami Vivekanand Airport, District Raipur (Chhattisgarh) 492015.
25. Central Warehousing Corporation, Raigarh, Through Its Manager, Gudmona Village Orissa Road, District Raigarh (Chhattisgarh) 492009.
26. Steel Authority Of India Limited, Bhilai, Through Its Managing Director, S A I L, Warehouse, Bhilai, Distt. Durg (Chhattisgarh)

---- Respondents

Appearance

Shri Chandresh Shrivastava, counsel for the petitioner.

Shri R.K. Kesharwani, Ms. Sharmila Singhai, Shri Sudhir Bajpai with Ms. Nirupama Bajpai, Shri Shailendra Shukla, Shri Vinod Deshmukh, Shri Sourabh Sharma, Shri N. Naha Roy, Shri Aditya Bhardwaj on behalf of Shri B.D. Guru, Shri Utsav Mahiswar on behalf of Shri P.R. Patankar, Shri Ghanshyam Patel and Shri Shiv Sahu, counsel for the respective respondents.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/03/2017

Heard.

1. In view of subsequent developments, learned counsel for the petitioner submits that at this stage, the petition may be disposed off with a direction to respondents to consider petitioner's pending application for renewal of its empanelment certificate. According to learned counsel for the petitioner, the petitioner has fulfilled all the norms and requirements for renewal of its empanelment certificate.
2. Shri R.K. Kesharwani, learned counsel appearing for respondents No. 1 & 2 submits that if the petitioner has already fulfilled such requirement, the respondents shall consider renewal in accordance with the provision relating to renewal applicable under the law.
3. The challenge to sponsorship given to other private respondents, at this stage, is not pressed into service by the petitioner.
4. Considering the aforesaid subsequent developments and that the petitioner has now restricted its challenge only to issuance of direction, this petition is finally disposed off with a direction to respondents No. 1 & 2 to consider petitioner's prayer for renewal of empanelment certificate in accordance with their own provision and take appropriate decision thereon.
5. Though learned counsel for respondents No. 1 & 2 prays for sixty days time, considering the submission of learned counsel for the petitioner that the delay in decision may create other complications as many other subsisting licences in favour of the petitioner may also expire, it is directed that the decision shall be taken by respondents No. 1 & 2 within a period of 45 days from the date of receipt of copy of this order.

Sd/-
(Manindra Mohan Shrivastava)
Judge