

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

PUBLIC INTEREST LITIGATION NO. 75/2015.

Birendrakumar Taraprasad Shrivastava

-VERSUS-

Government of India and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B. P. DHARMADHIKARI
AND ROHIT B. DEO, JJ.

DATE : JULY 26, 2017.

Heard Shri A.S. Kilor, learned Counsel for
the petitioner and Shri R. Masurkar, learned Counsel
for respondent no.2.

2. Submission is, after Hon'ble Supreme
Court found fault in allotment of mining rights for coal
to respondent no.2 for its Bellari Thermal Power
Station, respondent no.1 has conducted fresh auction
process and in it again very same mine has been
procured by respondent no.2. But, then respondent
no.2 has resorted to earlier practice and sub-let the
mine to respondent no.3, with the result the mischief
noted by CAG in earlier coal handling and therefore,
the judgment delivered by the Hon'ble Supreme Court
is being set at knot.

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3. Respondent no.1 Union of India has chosen not to appear, though it is served before 08.06.2016. This Court has issued notice on 03.09.2015. Matter has been listed thereafter for the first time on 17.07.2016 and thereafter has been adjourned from time to time. It has been adjourned on at least 7 occasions.

4. Learned counsel for respondent no.2 is denying all adverse allegations.

5. The petitioner has not made any representation to Union of India before approaching this Court. Petitioner has also not taken up the cause at the earliest and expeditiously.

6. We in this situation, direct respondent no.1 to look into the grievance made in this petition through its competent authority within a period of eight weeks from today. If necessary, opportunity of hearing shall be extended to the petitioner as also respondent no.2.

7. With these directions, we dispose of the Public Interest Litigation. No costs.

JUDGE

JUDGE

Rgd.