

HIGH COURT OF CHHATTISGARH, BILASPUR
WA No. 142 of 2019

- South Eastern Coalfields Limited Through the Chief General Manger (New Designation General Manger), South Eastern Coalfields Limited, Bishrampur Area, Bishrampur, Tahsil And District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through the Secretary, Department Of Urban Administration And Development, Government Of Chhattisgarh, Mantralaya D.K.S. Bhawan Now Mahanadi Bhawan, Atal Nagar Raipur District Raipur Chhattisgarh
2. Nagar Panchayat, Bishrampur, Through the Chief Municipal, Nagar Panchayat, Bishrampur, Tahsil And Surajpur Chhattisgarh

-----Respondents

For Appellant	: Shri HB Agrawal, Senior Advocate with Shri Pankaj Agrawal, Advocate
For respective Respondents	: Shri Manoj Pranjpe and Shri Vikram Sharma, Panel Lawyer

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice &
Hon'ble Shri Justice Parth Prateem Sahu
Judgment on Board

Per Ajay Kumar Tripathi, Chief Justice
13.03.2019

1. IA- 01 of 2019, an application for condonation of delay in filing the appeal is allowed and the delay is hereby condoned for the reasons mentioned therein.
2. It is an outright frivolous appeal which has been preferred by the South Eastern Coalfields Limited, a public sector undertaking. The reason why the Court dubs the appeal as frivolous, if not unwarranted, is that it is on the admitted position of the counsels appearing for both sides, before the learned Single Judge that the issue raised in the Writ Petition had

already been squarely decided in Writ Petition(T) No.275 of 2017 (WPT) on 23.04.2018 that the writ stood disposed off.

3. Still the company chose to file an appeal for no apparent reason or the necessity of doing so.
4. The order of the learned Single Judge passed in the WPT has further been affirmed by a Division Bench of this Court in Writ Appeal No.656 of 2018 on 27.09.2018. The earlier decision rendered by the learned Single Judge stands upheld, now therefore no argument in the impugned order is required to be entertained.
5. There is nothing much to be done in the present appeal because there is no infirmity to be interfered with or a question of law to be adjudicated or answered.
6. The Court, however, grants four weeks' time from today to the appellant- Company to respond to the notice of the Nagar Panchayat, Bishrampur, district Surajpur (CG).
7. Writ Appeal stands dismissed.

Sd/-
(Ajay Kumar Tripathi)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge