

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4491 of 2010**

1. P.C. Saxena, son of Shri Pramod Chandra Saxena, aged 42 years, Occupation Service, presently posted as Senior Surveyor T&S Grade A1, South Eastern Coalfields Limited, Bhatgaon Area, resident of Qtr. No.D-17, Zorhi Colony, Bhatgaon, District Sarguja (CG)
2. G.S. Patel, son of late Shri S.N. Patel, aged 42 years, Occupation Service, presently posted as Senior Surveyor T&S Grade A1, South Eastern Coalfields Limited, Pandavpara Mines, resident of Qtr. No.B-13, Pandavpara, Baikunthpur, District Korea (CG)
3. Rajesh Kumar Tiwari, son of Shri S.K. Tiwari, aged 40 years, Occupation Service, presently posted as Senior Surveyor T&S Grade A1, South Eastern Coalfields Limited, Zohilla Area, Naurozabad Sub-Area, Kancha Open Cast Project, District Umariya, resident of Qtr. No.B-51, Vindhya Colony, Naurozabad, Tehsil Karkeli, District Umariya (MP)
4. Devendra Singh, son of Shri Jagannath Singh, aged 38 years, Occupation Service, presently posted as Senior Surveyor T&S Grade A1, South Eastern Coalfields Limited, Pandavpara Mines, resident of Qtr. No.B-33, Pandavpara, Baikunthpur, District Korea (CG)
5. Deleted.
6. Rajesh Kumar Shrivastava, son of Shri B.L. Shrivastava, aged 38 years, Occupation Service, presently posted as Senior Surveyor T&S Grade A1, South Eastern Coalfields Limited, Rajgamar Pawan Incline, resident of Qtr. No.B-12, Ompur Colony, Rajgamar District Korba (CG)

---- Petitioner

Versus

1. Coal India Limited, through its Chairman, 10, Netaji Subhash Road, Kolkata (West Bengal)
2. General Manager (Personnel), Coal India Limited, through its Chairman, 10, Netaji Subhash Road, Kolkata (West Bengal)

3. South Eastern Coalfields Limited, through its Chairman cum Managing Director, Seepat Road, Bilaspur (CG)
4. Director (Personnel), South Eastern Coalfields Limited, through its Managing Director, Seepat Road, Bilaspur (CG)
5. Deputy Chief Personnel Manager (EE), South Eastern Coalfields Limited, Seepat Road, Bilaspur (CG)
6. Bhootnath Adhikari, son of not known to the petitioners, aged 49 years, Occupation Service, presently working as Senior Surveyor, T&S Grade A1, ECL, District Vardman (West Bengal)
7. Tapas Kumar Nag, son of not known to the petitioners, aged 40 years, Occupation Service, presently working as Senior Surveyor, T&S Grade A1 in ECL, Ningha Colliery, District Vardman (West Bengal)
8. Ramakant Singh, son of not known to the petitioners, aged 46 years, Occupation Service, presently working as Senior Surveyor, T&S Grade A1 in SECL, District Raigarh (CG)
9. A.K. Singh, son of not known to the petitioners, aged 42 years, Occupation Service, presently working as Senior Surveyor, T&S Grade A1 in CCL, Swang Colliery, District Bokaro (Jharkhand)

---- Respondent

For Petitioners : Shri Rajeev Shrivastava, Advocate.
 For Respondents 1 to 5 : Shri K.K. Shrivastava & Shri V. Shukla, Adv.
 For Respective Intervenors : Shri Govind Ram Miri, and Shri Gary Mukhopadhyay Advocates.

Proceeding through Video Conferencing

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

24/06/2020 :

1. Respondents No.1 to 5 have moved IA No.16/2020 for disposal of the writ petition in view of subsequent development wherein the

respondents have issued memorandum on 21.5.2020 modifying the criteria for determination of seniority of eligible candidates of Survey discipline. According to respondents 1 to 5, fresh memorandum (Annexure-A/1) with the application remedies the grievances raised by the petitioners. Therefore, the Writ Petition may be disposed of.

2. Shri Rajeev Shrivastava, learned counsel for the petitioners, has no objection to the prayer, subject however to reserving liberty in favour of the petitioners to move again if the cause of action survives or fresh cause of action arises.
3. Considering the contents of the application (IA No.16/2020) moved by respondents 1 to 5 and the submission made by learned counsel for the petitioners, the Writ Petition is disposed of with liberty to the petitioners to move afresh if the cause of action survives or fresh cause of action accrues for the issues raised in the Writ Petition.

Sd/-
Judge
(Prashant Kumar Mishra)