

24.06.2021.
Item no. 100.
Court No.13
ap

**W.P.A. No. 7820 of 2021
(Through Video Conference)**

**UCC-STA (Joint Venture) represented by M/s.
Sharma Transport Agency
Versus
Coal India Limited & Ors.**

Mr. Srijib Chakraborty,
Mr. Sunny Nandy.

...For the petitioner.

Affidavit-of-service filed in Court today by the
Counsel for the petitioner is taken on record.

A further reminder by e-mail has been sent by
the Counsel for the petitioner to the respondents
which is taken on record.

Despite service, the respondents are not
represented.

By a judgment and order dated 14th December,
2018, a Division Bench of this Court while dismissing
F.M.A. No. 2119 of 2018 at paragraph 42 directed
Eastern Coalfields Limited to reconsider the decision
to forfeit the earnest money of Rs. 50 lacs put in by the
petitioner.

The said Division Bench judgment was carried
to the Hon'ble Supreme Court being S.L.P. No. 26543
of 2019 and the same was dismissed.

In terms of the said Division Bench judgment,
the petitioner has made a representation dated 23rd
November, 2020, the Chairman-cum-Managing

Director, Eastern Coalfields Limited asking for reconsideration of the decision to forfeit earnest money and also to refund the same expeditiously.

It is submitted that the said application is still pending and has not been considered yet.

In those circumstances, the respondent no.3 shall consider and dispose of the petitioner's representation dated 23rd November, 2020 being Annexure – P/5 to the writ petition within a period of four months from the date of communication of a copy of this order.

It is expected that the respondent no.3 shall pass a speaking order after giving due hearing to the writ petitioner and/or his legal representatives.

With the aforesaid directions, the instant writ application shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(Rajasekhar Mantha, J.)