

07.07.2021

Ct. No.13

Sl. No.87

pk/akd

W.P.A. 10916 of 2021 [via video conference]

[Allied Infrastructure & Projects Pvt. Ltd. -Vs- The Eastern Coalfields Limited & Ors.]

Mrs. Sonal Shah
Mr. Kushagra Shah
Mr. Aniket Choudhury
... .. for the petitioner

Ms. Tanushree Dasgupta
Mr. Amit Chowdhury
... .. for the ECL

The writ petitioner is aggrieved by order dated 19th April, 2021 passed by the Eastern Coalfields Limited. By the said order the writ petitioner, for the reasons stated thereunder, was banned for two years from submitting any bids to the Eastern Coalfields Limited or its subsidiaries. The Eastern Coalfields Limited has invoked Clause 26(b) of the NIT dated 12th January, 2021 for hiring of HEMM and for rehandling of goods at old Dalmiya OCP for construction of new railway siding. Against the said order dated 19th April, 2021, the writ petitioner has filed an appeal before the Chairman, Eastern Coalfields Limited.

Learned counsel appearing for the Eastern Coalfields Limited submits that the appellate authority is the Director (Technical) of the Eastern Coalfields Limited and for the said reason, the said representation dated 14th June, 2021 could not be considered.

This Court, therefore, directs the Director (Technical) of the Eastern Coalfields Limited, Sanctoria, P.O. Dishergarh, West Bardhaman, West Bengal to consider the representation at Annexure 'P-9' of the writ petition dated 14th June, 2021 and

dispose of the same in accordance with the applicable Rules and law within a period of eight weeks from the date of communication of this order.

The writ petitioner and/or its legal representative shall be heard by the Director (Technical), Eastern Coalfields Limited and a reasoned order may be passed. The order may be communicated to the writ petitioner within a period of one week thereof.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)