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HIGH COURT OF CHHATTISGARH, BILASPUR

WA No.132 of 2021

Rashtriya Koyla Kamgar Sangh (I N T U C) Through - General Secretary - P.K. Rai, S/o Late Shri Rajmangal Rai, Aged About 68 Years, Post North Jhagrakhand Colliery, Ward No. 15, Police Station - North Jhagrakhand, District - Korea (Chhattisgarh) ---- **Petitioner**

Versus

1. South Eastern Coalfields Limited Through - Chief Managing Director, Seepat Road, Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh
2. Director Personal South Eastern Coal Field Limited, Seepat Road, Bilaspur (Chhattisgarh)
3. General Manager (P And A) South Eastern Coal Field Limited, Seepat Road, Bilaspur (Chhattisgarh)
4. General Manager (P And I. R.) South Eastern Coal Field Limited, Seepat Road, Bilaspur (Chhattisgarh)
5. South Eastern Koyla Mazdoor Congress Through - President, Qtr. No. 2 B/34, J.P. Colony, South Eastern Coalfields Limited, Korba, District- Korba (Chhattisgarh)
6. Gopal Narayan Singh Expelled President Of South Eastern Koyla Mazdoor Congress, Qtr. No. 2 B/34, J.P. Colony, South Eastern Coalfields Limited, Korba, District- Korba (Chhattisgarh)

--- **Respondents**

For Petitioner	:	Mr. S.P. Kale, Advocate
For Respondents No.1 to 4	:	Mr. Vinod Deshmukh, Advocate
For respondents No.5 & 6	:	Dr. N.K. Shukla, Senior Advocate with Mr. B.D. Guru, Advocate

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board by Manindra Mohan Shrivastava, J.

14/06/2021

Heard.

1. Though various grounds have been urged to challenge the correctness and validity of order dated 09.02.2021 passed in WPC No.614 of 2021,

without commenting upon the correctness and merit of the order, this Court is of the firm view that the order is nothing but order of an interim nature without deciding any of the issues involved in the writ petition. It is not even a case where the Court has decided any issue with regard to jurisdiction or maintainability of the writ petition. The Court has only rejected an application for grant of interim order.

2. In view of the above, the writ appeal is not at all maintainable against the order.

3. At this stage, learned counsel for the petitioner would submit that if the appellant/writ petitioner is not protected by interim order, the very purpose of filing of writ petition would be frustrated.

4. We can only say that the writ appeal is not maintainable and it is left to the appellant to work out such remedy as may be available to him under the law in case he has any grievance against interim order passed by learned Single Judge on 09.02.2021.

5. This appeal is accordingly dismissed as not maintainable.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge