

HIGH COURT OF CHHATTISGARH, BILASPUR

ARBA No.56 of 2021

1. South Eastern Coalfields Limited Seepat Road, Bilaspur (CG), Through The Chairman Cum Managing Director, SECL , Seepat Road, Bilaspur Chhattisgarh.
2. The General Manager Kusmunda Area, PO Kusmunda, District Korba Chhattisgarh.
3. The Staff Officer (Mining) SECL, Kusmunda Area, Po Kusmunda, District Korba Chhattisgarh

---- Appellants

Versus

M/s Sri Balaji Metals And Minerals Pvt. Ltd. Through Raghav Lakhotia, Director 23-A, Netaji Subhas Road, 3rd Floor, Kolkata West Bangal

---- Respondent

For Appellants	:	Shri Kishore Bhaduri Senior Advocate with Shri Vivek Chopda, Advocate
For Respondent	:	Shri Ankit Pandey, Advocate

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

09/08/2021

Heard.

1. Faced with the objection with regard to maintainability of the appeal, in view of the judgment of the Hon'ble Supreme Court in the case of **BGS SGS SOMA JV. V. NHPC, 2020(4) SCC 234**, learned counsel for the appellants seeks to withdraw this appeal with liberty to challenge the impugned order in appropriate Forum as is available to him under the law.
2. In view of the above submission, this appeal is dismissed as withdrawn with liberty to approach the appropriate Forum available to the appellant under the law.
3. Certified copy of the impugned order, if any filed, may be returned to learned counsel for the appellant after retaining photocopy of the same.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge