

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 3967 of 2021**

- Mahendra Sponge And Power Ltd. Having Its Registered Office At, A - Block 2nd Floor, Maruti Business Park, Near Dhupar, Pump, Raipur, Chhattisgarh Through Its Authorized Signatory Mr. Gaurav Modi., District : Raipur, Chhattisgarh

---- Petitioner**Versus**

1. The Union Of India And Ors Through The Secretary, Ministry Of Coal, Nirman Bhawan, New Delhi., District : New Delhi, Delhi
2. Coal India Limited A Maharatna Company (Govt. Of India Undertaking), Through Its General Manager, (Marketing And Sales), Coal Bhawan, Marketing Directorate, Premises No. 04 Mar, Plot Af - Iii, Action Area 1a, New Town Kolkata 700156.
3. South Eastern Coalfields Limited (A Subsidiary Of Coal India Limited / A Mini Ratna Psu), Through Its General Manager, (Marketing And Sales), Regd. Office Seepat Road, Bilaspur Chhattisgarh 495006., District : Bilaspur, Chhattisgarh
4. State Of Chhattisgarh Through Its Secretary, Department Of Industries, Udyog Bhawan, Ring Road No. 1, Telibandha, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
5. South East Central Railways Through Its General Manager, South East Central Railway, New Zonal Building, Bilaspur, Chhattisgarh, Pin 495004., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Ankit Singhal, Advocate
For respondents No. 2, 3 & 5	:	Mrs. Astha Shukla on behalf of Mr. Vaibhav Shukla, Advocate
For respondent- UOI	:	Mr. Tushar Dhar Diwan on behalf of Mr. Ramakant Mishra (ASG)

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****04.10.2021**

Heard.

1. Learned counsel for the petitioner would submit that the petitioner company entered into a Fuel Supply Agreement with the respondent No. 3- SECL in respect of the coal. It is stated that because of certain shortage of coal, the offer was extended to the different receiver by the SECL wherein the petitioner company agreed to defer the supply of coal on 14.07.2020. Subsequently the company, with the passage of

time, was in need of the coal, as such has requested for revival of the earlier allotted coal which was deferred as per the mutual consent. He would further submit that the petitioner therefore has made an application on 05.03.2021 (Annexure P/3) to the General Manager SECL which may be directed to be decided.

2. Having perused the document dated 14.07.2020 and the representation dated 05.03.2021, since only at this stage the consideration for deferred coal rates has been sought for by the representation, without any further observation on the merit it is directed that the respondent No. 3 shall decide the application of the petitioner dated 05.03.2021 (Annexure P/3) within a period of 45 days from the date of receipt of copy of this order.
3. With the above direction/observation, the writ petition stands disposed off.

sd/-
(Goutam Bhaduri)
Judge