

17.08.2023
SL No.203 wt 204
Court No.8
(gc)

**MAT 1516 of 2023
CAN 1 of 2023**

**ECL (Eastern Coalfields Limited) & Anr.
Vs.
Rabindra Nath Roy & Ors.**

With

MAT 1517 of 2023

**ECL (Eastern Coalfields Limited) & Anr.
Vs.
Iswari Lall & Ors.**

Mr. Debnath Ghosh,
Mr. Puspall Chakraborty,
Mr. Saptarshi Mukherjee,
...for the Appellants.

Ms. Joyee Maity,
Mr. Saikat Koley,
...for the Respondents.

1. In view of the order passed in MAT 1403 of 2023 and MAT 1404 of 2023, the impugned order dated 31st July, 2023 is set aside.
2. However, we make it clear that deposit of any amount and/or payment of any remuneration or salary to the writ petitioners may be considered after taking into consideration the exception to the report filed by the Special Officer and/or inviting a report from an independent Auditor to ascertain the true nature of the Grant and disbursement made by ECL to the schools.

3. All costs, charges and expenses of the independent Auditor shall be borne by the ECL.
4. Both the appeals are allowed.
5. Accordingly, both the appeals and the connected applications are disposed of.
6. However, there shall be no order as to costs.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)