

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

120+210

CM-16739-CWP-2023 in/and
Civil Writ Petition No.17264 of 2018
Date of decision :-29.11.2023

Punjab State Power Corporation Limited

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM:- HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. Ashwani Chopra, Sr. Advocate with
Mr. Kshitij Sharma, Advocate and
Mr. Vidul Kapoor, Advocate
for the non-applicant/petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India with
Mr. Arun Gosain, Sr. Govt. Counsel
For the applicants-respondents.

RITU BAHRI ACJ. (Oral)

CM-16739-2023

Prayer in this application is for placing on record additional document i.e. upto date list of Tribunals constituted under the Coal Bearing Areas (Acquisition & Development) Act, 1957 in terms of the order dated 28.7.2022 passed by this Court as Annexure R-9.

The application is allowed subject to all just exceptions and the aforesaid additional document is taken on record as Annexure R-9.

CWP-17264-2018

Learned counsel for the respondents while referring to Annexure R-9 dated 29.9.2022 submits that the matter has been examined by the Ministry of Coal.

The relevant para 3 of Annexure R-9 is reproduced hereunder :-

“3. Based on the information received from the PTTs, the matter has been examined in the Ministry of Coal and to inform you that the competent authority in Ministry of Coal has approved the extension of the Six Part Time Tribunals at Godda, Ranchi, Bilaspur, Singrauli, Mirzapur and Jharsuguda for a period of two years from 01.10.2022 to 30.09.2024 and for rest 02 PTTs (Dhenkanal & Talcher) for a limited period beyond 30.09.2022 i.e. until the Special Tribunal (Full Time) at Talcher comes into existence whichever is earlier, by merging these two PTTs.”

Learned counsel for the parties are not disputing the fact that the present issue can be examined only before the Tribunal at Ranchi and the issue involves can be considered as per the extension given vide letter dated 29.9.2022 (Annexure R-9). Learned counsel for the petitioner has also referred to the order dated 17.7.2018 passed by this Court, whereby as per the interim order, respondents were restrained from encashing the amount of Rs.48,12,50,000/- from the performance security in pursuance to the impugned order dated 13.7.2018.

Keeping in view the above and the letter dated 29.9.2022 (Annexure R-9), direction is being given to the Registry to send this file to the District & Sessions Judge and Part Time Tribunal under CBA (A & D) Act, Ranchi, Civil Court, Ranchi, Jharkhand and both the parties can appear before the said Tribunal on 10.01.2024.

Interim order dated 17.7.2018 shall continue.

In view of the aforesaid directions, the present writ petition stands disposed of.

(RITU BAHRI)
ACTING CHIEF JUSTICE

November 29, 2023

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No