

17
07.08.2024
S.D.
Ct. No. 26

**M.A.T. 810 of 2024
With
CAN 1 of 2024**

**M/s. Eastern Coalfields Ltd.
Vs.
Krishna Bhuiya & Ors.**

Mr. Bijay Kumar
...For the appellant
Mr. Partha Ghosh
Ms. Simran Sureka
Mr. Debashis Das
Mr. Rajdeep Mantha
....For the respondents

Memorandum of appeal is directed against two orders
dated January 3, 2024 passed in W.P.A. 3346 of 2022 and
April 19, 2024 passed in CPAN 503 of 2024.

Learned advocate appearing for the private
respondent raises the point of maintainability of the appeal in
view of the fact that the appeal preferred an earlier appeal
being M.A.T. 1879 of 2023 directed against the order dated
January 3, 2024 passed in W.P.A. 3346 of 2022. In such
M.A.T. 1879 of 2023, an order dated May 16, 2024 was passed
in presence of the same learned advocate for the appellant.

He submits that, in view of such order dated May 16, 2024, a fresh appeal against the order dated January 3, 2024 passed in W.P.A. 3346 of 2022 is not maintainable.

In response, the learned advocate appearing for the appellant invites the Court to limit the appeal to the order dated April 19, 2024 passed in CPAN 503 of 2024.

At the invitation of the appellant, we limit the present appeal preferred against the order dated April 19, 2024 passed in CPAN 503 of 2022.

Impugned order dated April 19, 2024 did not decide any right between the parties. It merely directed issuance of a Rule in view of the non-compliance of the order of the learned Single Judge as also no stay being granted by the Appeal Court.

In such circumstances, we find no merit in the present appeal.

M.A.T. 810 of 2024 along with the connected application are **dismissed** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

