

16
29.11.2024
A.G.M.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 27497 of 2024
IA No. CAN 2 of 2024**

**Nisith Baran Chattaraj & Ors.
-versus-
Union of India & Ors.**

**Mr. Sabyasachi Chatterjee,
Mr. Kiran Sk,
...For the Petitioners.**

**Mr. Brajesh Jha,
Sk. Sariful Haque.
...For UOI.**

**Mr. S. N. Mookherjee. Sr. Advocate.
Mr. Debnath Ghosh,
Mr. Syed Nurul Arefin,
Mr. Syed M. Arefin,
Ms. Reshmi Binayak.
Mr. S. Mookherjee.
...For the Respondent
Nos. 5 and 7.**

**Mr. Surja Prasad Chatterjee.
Mr. Rahul Singh.
... For the petitioner in CAN 2 of 2024.**

1. Report filed on behalf of the respondent nos. 5 and 7 is taken on record.
2. The report mentions that Chinakuri -III Coal Mine is a loss making mine and has failed to achieve the target production.
3. The respondent authority is taking steps in accordance with the Revenue Sharing Model through the public sector participation for development of the said mine. Service of all the employees of the mine has

been protected. None of the employees have raised any objection.

4. The locus standi of the petitioners in moving the instant writ petition has been challenged.

5. It has been submitted that two of the petitioners are ex employees and one is an outsider. The petitioners are in unauthorized occupation of staff quarters and proceedings against them are pending. To stall the said proceeding, the instant writ petition has been filed.

6. Learned advocate appearing for the petitioners insist that the authority is not taking steps in accordance with the Revenue Sharing Model.

7. Upon hearing the parties, the Court is not convinced with the locus standi of the petitioners in moving the instant writ petition. The employees of the company did not raise any objection and, accordingly, objection by outsiders relating to the manner in which the mine is to be run and managed by the authority cannot be accepted.

8. The writ petition fails and is hereby **dismissed**.

9. The application being IA No. **CAN 2 of 2024** stands **disposed of**.

11. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)