

OD-5

ORDER SHEET
WPO No.597 of 2025
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

M/S. MANOSHA ENTERPRISES
VS
M/S. EASTERN COALFIELDS LTD. & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date:13th August, 2025.

Appearance:
Mr. Parth Ghosh, Adv.[VC]
Mr. Amal Kr. Datta, Adv.
Mr. Debashis Das, Adv.
Mr. Bratin Suin, Adv.
...for the Petitioner.

Mr. Sarosij Dasgupta , Adv.
Mr. Pradipta Bose, Adv.
...for the ECL.

1. The matter relates to a contract executed by and between the petitioner and the respondent authority. The petitioner alleges that the payment in terms of the contract was disbursed after a long delay and the authority ought to pay interest for such delayed payment. A representation by the petitioner to the General Manager, Eastern Coalfields Limited is pending consideration.
2. Prayer has been made to direct the respondent authority to take a decision on such prayer.
3. Learned advocate representing the Eastern Coalfields Limited opposes the prayer of the petitioner. It has been submitted that there is already a dispute redressal mechanism mentioned in the contract itself and the petitioner ought to have availed the said remedy. It has been contended that the dispute is civil in nature and the jurisdiction of the writ court ought not to have been invoked.

4. Learned advocates appearing on behalf of the parties, however, are unable to produce before this Court the proper procedure for dispute redressal in relation to the subject contract.
5. As it appears that a representation from the petitioner is pending consideration at the end of the respondent authority, accordingly, the instant writ petition stands disposed of by directing the General Manager (Civil), Eastern Coalfields Limited being the respondent no.4 to take a decision in the matter in response to the representation filed by the petitioner strictly in accordance with the terms and conditions of the contract, after giving reasonable opportunity of hearing to the petitioner at the earliest, but positively within a period of eight weeks from the date of communication of this order. If the claim of the petitioner is accepted and any amount is found due and payable, the same shall be disbursed without any further delay.
6. It is made clear that this Court has not entered into the merits of the claim of the petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation.
7. Learned advocate for the petitioner is directed to forward a copy of the representation along with all supporting documents to the aforesaid respondent at the time of communicating the order of the Court.
8. Writ petition stands disposed of.

9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all legal formalities.

(AMRITA SINHA, J.)

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