**IN THE HIGH COURT OF JHARKHAND, RANCHI**
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**W.P.(C) No. 1774 of 2014**
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Rungta Irrigation Ltd., a company incorporated under the Companies Act, 1956 having its registered office at 101, Pragati Tower, 26, Rajendra Place, PO and PS Prasad Nagar, District New Delhi and also its Branch Office at Vikash Bhawan, Bariatu Road, PS Lalpur, PO Ranchi, District-Ranchi, through its duly authorized representative Sri Shailesh Awasthi, son of late D.S. Awasthi, resident of Qr. No.1B/227, Kathara No.4, PO Kathara, PS Gomia, District-Bokaro ..... .... .... *Petitioner(s)*

***-- Versus --***

1.Central Coalfields Limited, Darghanga House, PO -Ranchi, PS-Kotwali, District -Ranchi, through its Chairman-Cum-Managing Director

2. Chairman-Cum-Managing Director, Central Coalfields Limited, Darbhanga House, PO-Ranchi University, PS-Kotwali, District-Ranchi

3.General Manager (Sales), CMC, Central Coalfields Limited, Darbhanga House, PO -Ranchi University, PS-Kotwali, District-Ranchi

4.Central Vigilance Officer, Central Coalfields Limited, Darbhanga House, PO -Ranchi University, PS-Kotwali, District-Ranchi

5.General Manager (Vigilance), Central Coalfields Limited, Darbhanga House, PO -Ranchi University, PS-Kotwali, District-Ranchi

6.Senior Manager (MM), Samadhan Cell, Central Coalfields Limited, Darbhanga House, PO -Ranchi University, PS-Kotwali, District-Ranchi ..... ..... .... *Respondents*

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**CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI**

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For the Petitioner(s) :- Mr. Pandey Neeraj Rai, Advocate
Mr. Rohit Ranjan Sinha, Advocate
Mr. Arpit Khandelwal, Advocate

For the Respondents :- Mr. A.K. Das, Senior Advocate
Ms. Komal Tiwary, Advocate

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***8/27.10.2026*** Heard Mr. Pandey Neeraj Rai, the learned counsel appearing on behalf of the petitioner and Mr. A.K. Das, the learned Senior counsel appearing on behalf of the respondent/Central Coalfields Limited [CCL].

*2.* This writ petition has been filed under Article 226 of the Constitution of India for quashing the action of the respondents in refusing to accept the coal-value to the tune of Rs.6,86,850/- as deposited by the petitioner by one of the bank account which has not been provided at the time of participation in e-auction. The prayer is also made for refund of

Rs.1,87,000/- which is the Earnest Money deposited which has been forfeited.

*3.* After some argument, Mr. Pandey Neeraj Rai, the learned counsel appearing on behalf of the petitioner submits that this matter is old one and now the coal price has also gone forward and in view of that, he is not pressing the prayer no.1 and he has confined his prayer so far as prayer no.2 is concerned.

*4.* Learned counsel for the petitioner submits that the petitioner is a Company and has participated in an e-auction sale held on 31.07.2013 for sale of coal by Central Coalfields Limited/ CCL. He also submits that the petitioner has duly deposited Rs.10,01,000/- as Earnest Money Deposit with the auctioning agency- M.S.T.C. Ltd. on 30.07.2013 for participation. He next submits that the respondent/CCL has come out with a Notice applicable with effect from 01.04.2011 by which it was made mandatory for all the customers to declare the details of maximum two of their bank accounts in the prescribed formats for the purpose of remitting coal value and, in view of that, the two accounts have been demanded for paying the coal value and the petitioner herein has provided two accounts, one of State Bank of India [SBI] and another of H.D.F.C Bank. He next submits that by way of Annexure-1, the e-booking notice details are there. He next submits that so far

as an amount of Rs.27,55,726/- is concerned, that is transferred through Allahabad Bank account and that has been accepted by the respondent/CCL, however, Rs.6,86,850/- was sent through Allahabad Bank Industrial Financial Credit (IFC) Account, the said account was meant for the petitioner and the said amount has not been accepted. He next submits that the Allahabad Bank has also certified the same that the amount has been transferred from the account of the I.F.C account. However, the respondent/CCL has not accepted the said amount and refunded the same and an amount of Rs.1,87,000/- has been forfeited. He next submits that the respondent/ CCL has not lost anything and there is no determination as to what loss has been made, and in view of that, the respondent/ CCL is required to refund the said amount of Rs.1,87,000/-. He also submits that in the aforesaid background, even the penalty cannot be imposed upon the petitioner and forfeiting the said amount amounts to penalty upon the petitioner. He submits that this aspect has been considered by the Hon'ble Supreme Court in the case of ***Fateh Chand v. Balkrishan Das*** reported in ***AIR 1963 SC 140***, ***Maya Devi v. Lalita Prasad*** reported in ***AIR 2014 SC 1356***, ***Kailash Nath Associates v. Delhi Development Authority*** reported in ***(2015) 4 SCC 136*** and ***Maula Bux V. Union of India*** reported in ***(1969) 2 SCC 554.*** Referring the above judgments, he submits that the

respondent/ CCL has wrongly forfeited the said amount and in view of that, appropriate direction may kindly be issued.

*5.* Mr. A.K. Das, the learned Senior counsel appearing on behalf of the respondent/Central Coalfields Limited [CCL] opposed and submits that the petitioner has failed to transfer the said amount by the two accounts provided by the petitioner and in view of that, Rs.6,86,906/- has not been accepted and since the clauses are there on forfeiting the amount, the said amount has been forfeited. He relied in the case of ***Villayati Ram Mittal private Limited v. Union of India and Another*** reported in ***(2010) 10 SCC 532*** as well as ***National Thermal Power Corporation Limited v. Ashok Kumar Singh and Others*** reported in ***(2015) 4 SCC 252***.

*6.* In view of above, it transpires that although the petitioner has provided two of the bank accounts of SBI and HDFC Bank respectively, however, an amount of Rs.27,55,726/- was transferred through Allahabad Bank account and that has been accepted by the respondent/CCL and Rs.6,86,850/- has been transferred by the petitioner through Allahabad Bank, however, that was through the Industrial Financial Credit (IFC) Account and that account was meant for the petitioner and further the two of the Certificates annexed as Annexure-5 series fortify the submission of the learned counsel for the petitioner that the said amount has been sent by Allahabad Bank to the

respondent/CCL.

*7.* In view of aforesaid background, the refund aspect is required to be considered at the first hand by the respondent/ CCL and as such, the petitioner is directed to approach the respondent no.3/ General Manager (Sales), CMC, Central Coalfields Limited, Darbhanga House, Ranchi by way of filing a fresh representation along with all the credentials which has been annexed in the present writ petition within a period of three weeks, and if such a petition is being filed by the petitioner within the aforesaid period, the respondent no.3/ General Manager (Sales), CMC, Central Coalfields Limited, Darbhanga House, Ranchi is directed to take a decision in accordance with law and pass a reasoned order within four weeks further thereafter.

*8.* With the aforesaid observation and direction, the instant writ petition being W.P.(C) No.1774 of 2014 is allowed and disposed of.

**( Sanjay Kumar Dwivedi, J.)**

Dated : 27.10.2026
SI/
Uploaded/ 30.10.2026