

i;

1

ITEM NO.52

COURT NO.4

SECTION XVIA

SUPR EME COUR T OF I ND I A
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL) NO. 100 OF 2006

SOMAL PIPES PVT. LTD.

Petitioner(s)

VERSUS

COAL INDIA LTD. & ORS.

Respondent(s)

(With appln(s) for stay and directions and office report)

WITH

I.A.Nos.1-3 in T.P.(C) No. 97/2006
(For stay and directions and office report)

I.A.Nos.1-3 in T.P.(C) No. 11/2006
(For stay and directions)

I.A.No.2 in T.P.(C) No. 15/2006
(For appropriate directions with office report)

I.A.No.1 in T.P.(C) No. 16/2006
(For appropriate directions with office report)

CONTEMPT PETITION (C) No. 50/2007 in T.P.(C) No. 41/2006
(With appln. for directions and office report)

CONTEMPT PETITION (C) No. 56/2007 in C.A. No. 5317/2006
(With office report along with Adv. Letter dt. 26.7.07)

CONTEMPT PETITION (C) No. 71/2007 in T.P.(C) No. 100/2005
(With office report)

I.A.No.7 in C.A. No. 5324/2006
(For directions with office report)

I.A.Nos.3-11 in C.A. No.5303/2006
(For directions)

I.A.No.3 in C.A. No.5304/2006
(For directions)

I.A.No.3 in C.A. No.5307/2006
(For directions)

2

I.A.No.8 in C.A. No. 5324/2006
(For directions with office report)

CONTEMPT PETITION (C) No. 135/2007 in C.A. No. 5314/2006
(With office report)

CONTEMPT PETITION (C) No. 138/2007 in C.A. No. 5302/2006
(With appln. for impleadment)

CONTEMPT PETITION (C) No. 139/2007 in C.A. No. 5302/2006
(With office report)

CONTEMPT PETITION (C) No. 18/2006 in T.C.(C) No. 101/2005
(With office report)

I.A. No.1 in T.C.(C) No. 101/2005

(For directions)

CONTEMPT PETITION (C) No. 19/2006 in T.C.(C) No. 19/2006

I.A.No. 1 in T.C.(C) No. 7/2006

(For directions)

I.A.Nos.2-4 in T.C.(C) No. 27/2006

(For directions)

I.A.No.4 in C.A. No.5311/2006

(For directions with office report)

I.A.No...../2007 in T.C.(C) No.39/2006

(For directions)

CONTEMPT PETITION (C) NO. 282/2007 in C.A.No.5315/2006

(With office report)

I.A.Nos.1-2 in T.C.(C) No. 31/2006 (For directions)

I.A.No.3 in C.A.No.5320/2006 (For directions)

T.C.(C) No. 29/2006 (with office report)

T.C.(C) No. 32/2006 (with office report)

I.A.No..... in T.C.(C) No. 8/2006

(For refund and office report)

I.A.No.... in T.C.(C) No. 9/2006 (For directions)

T.C.(C) No. 31/2006 (with office report)

3

I.A.No..... in T.C.(C) No. 28/2006

(For direction and office report)

T.C.(C) No. 32/2006 (with office report)

I.A.No..... in T.C.(C) No. 42/2006

(For direction and office report)

I.A.Nos.4 in C.A. No. 5302/2006

(For direction & office report)

I.A.No.1 in CONTEMPT PETITION (C) No.135/2007 in C.A.No.5314/2006

(For permission to bring on record subsequent fact)

WITH

T.C.(C) No. 100/2005 (Office report for direction)

CONTEMPT PETITION (C) No. D 30687/2007 in T.C.(C) No.17/2006

T.C.(C) No. 10/2006 (For directions and office report)

T.C.(C) No. 17/2006 (With office report)

T.C.(C) No. 24/2006 (With office report)

T.C.(C) No. 22/2006

T.C.(C) No. 23/2006

T.P.(C) Nos. 1126-1130/2005

(With Appln(s) for ex-parte stay and office report)

AND

CONTEMPT PETITION (C) No. 282/2007 in C.A. No.5315/2006

(With office report)

I.A.No.1 in T.C.(C) No. 26/2006 (For direction and office report)

I.A.No.1 in T.C.(C) No. 25/2006 (For direction and office report)

I.A.No..... in T.C.(C) No. 36/2006 (For directions)

I.A.No..... in T.C.(C) No. 40/2006 (For directions)

I.A.No. 4 in T.C. © No. 19/2006 (Appln. for direction)

Date: 16/03/2009 These Petitions were called on for hearing today.

CORAM :

4

HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE DR. JUSTICE MUKUNDKAM SHARMA

For Petitioner(s) Mr. G.C. Bharukha, Sr. Adv.
 Mr. Devasish Bharukha, Adv.
 Ms. Jaya Bharukha, Adv.
 Mr. Anjani Kumar Singh, Adv.
 Dr. Sushil Balwada, Adv.

 Mr. Thakur Kr. Singh, Adv.

 Mr. M.L. Verma, Sr. Adv.
 Mr. Manish K. Saran, Adv.

 Mr. S. Chandra Shekhar, Adv.

 Mr. Amit Meharia, Adv.
 Mr. Debojit Borkakati, Adv.
 Mr. Mohan Prasad Meharia, Adv.

 Mr. Manish Pitale, Adv.
 Mr. C.S. Ashri, Adv.

 Mr. M.L. Verma, Sr. Adv.
 Mr. Manish Kumar Saran, Adv.

 Mr. Manish Kumar Saran, Adv.
 Mr. Nirmal Kumar Ambastha, Adv.

 Mr. Rajesh Singh, Adv.

For Respondent(s) Mr. G.E. Vahanvati, SG
 Mr. Anip Sachthey, Adv.
 Mr. Mohit Paul, Adv.
 Mr. V.K. Verma, Adv.
 Ms. Anil Katiyar, Adv.

 Mr. Krishan Kumar, Adv.
 Ms. Asha G. Nair, Adv.
 Ms. Gargi Khanna, Adv.
 Mr. D.D. Kamath, Adv.
 Mr. D.S. Mahra, Adv.

 Mr. Nagendra Rai, Sr. Adv.
 Mr. Sudhir Kulshreshtha, Adv.
 Ms. Sushma Singh, Adv.

 Gp. Capt. Karan Singh Bhati, Adv.
 Ms. Rekha Giri, Adv.

Ms. Sweta Rani, Adv.

Mr. Ajit Kumar Sinha, Adv.

Mr. Rana Kukherjee, Adv.

Mr. Siddharth Gautam, Adv.

Ms. A. DE Biswas, Adv.

Mr. Goodwill Indeevar, Adv.

Ms. Prerna Kumari, Adv.

Mr. S. Chandra Shekhar, Adv.

Mr. B.B. Singh, Adv.

Mr. Rudreshwar Singh, Adv.

Mr. Sanjay Jain, Adv.

Mr. Jitendra Mohan Sharma, Adv.

UPON hearing counsel the Court made the following
ORDER

I.A.No.5/2009 in T.P.(C) No. 100/2006:

Having heard the learned counsel for the parties we are of the opinion that it is not necessary for us to pass any other or further directions by way of clarification. The applicant(s) may pursue the remedies available to it in law. I.A. No. 5 is disposed of.

Northern Coalfields Ltd. (NCL) :

In view of the statement made at the Bar by Mr. Sachthey, learned counsel appearing on behalf of the Northern Coalfields Limited that the claims for refund made on behalf of the applicants M/s. Sonebhadra Fuels and M/s. Munna Industries (respondent Nos. 13 & 14 in W.P. No. 56160/2005) shall be paid, no direction is required to be passed. All the cases relating to NCL are closed.

6

T.P.(C) Nos. 1126-1130/2005:

Having heard the learned counsel for the parties and having regard to the fact that no order has been passed on the writ petitions arising out of these transfer petitions, we feel that it is not necessary to entertain these transfer petitions at this juncture. These transfer petitions are, therefore, dismissed. The parties may agitate their respective contentions before the High Court.

Let the matter appear three weeks hence.

In the meantime, learned counsel for the parties may sit with the concerned officer of this Registry for the purpose of ascertaining as to how much amounts are to be paid to the purchasers of coal in respect of BCCL and CCL.

(A.S. BISHT)
BHARDWAJ)

(PUSHAP LATA

