

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C)
No(s). 25661-25663/2013

(Arising out of impugned final judgment and order dated 17/09/2012 in RVW No. 126/2011,17/09/2012 in CAN No. 6448/2011,17/09/2012 in CPAN No. 757/2011,17/09/2012 in WP No. 5257/2008 passed by the High Court Of Calcutta)

OM SHREE CONTRACTORS Petitioner(s)

VERSUS

BHARAT COKING COAL LTD. & ORS. Respondent(s)

(with appln. (s) for c/delay in filing slp)

Date : 06/02/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s)

Mr. S.N. Jha, Sr.Adv.
Mr. Chandan Kumar, Adv.
Mr. Dinesh Kumar Tiwari, Adv.
Mr. Shailendra Kumar, Adv.
Mr. Amit Srivastava, Adv.
Ms. Jaya Kumari, Adv.
Mr. Santosh Kumar Tripathi, AOR

For Respondent(s)

Mr. Mahabir Singh, Sr.Adv.
Mr. Gagandeep Sharma, Adv.
Ms. Aishwarya Bhati, Adv.
Mr. Anshuman, Adv.
Ms. Priyanka, Adv.
Ms. Priyadarshni Priya, Adv.
Gp. Capt. Karan Singh Bhati, AOR

UPON hearing the counsel the Court made the following
O R D E R

Signature Not Verified

Digitally signed by Narendra Prasad

Delay condoned.

Date: 2015.02.13 17:39:00 IST
Reason: SIGNED FOR MS.
JYOTI, SR. P.A. AS SHE IS
NOT HAVING DSC AND
ATTENDED COURT

Heard learned Counsel for the petitioner as well as the

counsel for the respondents.

The grievance of the petitioner herein is that he had filed a contempt petition against the respondent-authorities and at the same time the respondent-authorities also filed an application for review of judgment dated 03.03.2011 in WP No. 5257 (W) of 2008 and the learned Single Judge of the High Court restored the matter ignoring the act of disobedience by the respondent-authorities of order dated 17th September, 2012.

As a consequence, the WP No. 5257 of 2008 was restored to its original number as in the opinion of the learned Single Judge recalling of the judgment was necessary to prevent the miscarriage of justice by way of giving an opportunity to deal with the grounds of Review as mentioned by the Additional Solicitor General.

It is evident from the order impugned herein that none of the grounds raised by the respondent-authorities have been considered in the writ petition on merits which would now be considered in the writ petition.

Having regard to the reasons which weighed with the learned Judge for allowing the Review Petition, we do not find any scope for our interference in the order impugned herein. The Special Leave Petitions are dismissed. The parties can urge all their contentions before the High Court. We request the High Court to dispose of the Writ Petition expeditiously preferably within a period of three months from the date of communication of this order.

(JYOTI GUPTA)
Sr. P.A.

(SHARDA KAPOOR)
COURT MASTER