

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 (Civil) No.12317/2000

(From the judgement and order dated 16/03/2000 in CWJC 2750/97(R)
of The HIGH COURT OF PATNA AT RANCHI)

M/S. CENTRAL COALFIELDS LTD.

Petitioner (s)

VERSUS

SPL.SMOKELESS FUEL MANUFTS. ASSON. & ORS

Respondent (s)

(With Appln(s). for c/delay in filing rejoinder and with prayer for
interim relief and office report)

Date : 15/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.C. LAHOTI

For Petitioner (s) Mr. Ajit Kumar Sinha, adv.

For Respondent (s) Mr. Amarendra Sharan, Sr. adv.
Mr. Irshad Ahmad, adv.

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

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.SP2

Delay in filing rejoinder affidavit is condoned.
Leave granted.
The appeal is disposed of in terms of the signed
order. No costs.

.SP1

(Neena Verma)
Court Master

(Prem Prakash)
Court Master

Signed order is placed on the file.

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CIVIL APPEAL NO.566 OF 2001@@
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(@ Special Leave Petition (C) No.12317/2000)

M/s. Central Coalfields Limited Appellants

Versus

Special Smokeless Fuel Manufactures
Association & Ors. Respondents

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Delay in filing rejoinder affidavit is condoned.
Leave granted.
Heard learned counsel for the parties.

We dispose of this appeal with the clarification that the orders made by this Court in Civil Appeal No.6317 of 1998 on March 22, 1999 shall not come in the way of either party to seek appropriate relief from the High Court should there be any change of circumstances. Thus, whether there is any justification for modification of the judgment and order dated 28.11.1997 passed in CWJC No.2750 of 1997, in the light of what we have said above, shall have to be decided by the High Court, uninfluenced by the orders made by this Court in Civil Appeal No.6317 of 1998 on March 22, 1999.

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The impugned order dated 16.03.2000 is accordingly set aside. The application seeking modification is remanded to High Court for its fresh disposal in the light of what we have said above. It shall be open to the respondent to raise all such objections in the High Court as are permissible in law, including the preliminary objection to maintainability of the application.

The appeal is disposed of in the above terms. No costs.

.SP1

.....CJI.

New Delhi,
January 15, 2001.

.....J.
(R.C. LAHOTI)