

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 979 OF 2005

M/s EASTERN COALFIELD LTD. ... APPELLANT

VS.

M/S P.K. MAITY ... RESPONDENT

O R D E R

An award was passed. The appellant filed application for setting aside the award before the High Court. A learned Single Judge of the High Court by Order dated 23.04.1996 rejected the same and decree in terms of the award was drawn. The appellant assailed the same in appeal before the Division Bench of the High Court. The High Court by its judgment dated 23.04.1999 dismissed the appeal. Aggrieved by the same, the appellant preferred a Special Leave Petition before this Court. However, when the matter was taken up on 20.09.1999, the appellant sought leave to withdraw the Special Leave Petition with a view to approach the High Court for review of the judgment. This Court did not express any opinion on the merits of the controversy between the parties but observed that in case such a review petition is filed it shall be decided on its own merits.

In the light of the aforesaid observations, the appellant preferred a review application. The High Court finding no error apparent on the face of the record declined to review the order.

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We do not find any error in the same.

In the result, we do not find any merit in the appeal and it is dismissed accordingly with no order as to cost.

.....J.
(Chandramauli Kr. Prasad)

.....J.
(V. Gopala Gowda)

New Delhi; the
April 10, 2013

ITEM NO.107

COURT NO.12

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 979 OF 2005

M/S. EASTERN COALFIELDS LTD.

Appellant (s)

VERSUS

M/S. P.K. MAITY

Respondent(s)

(With prayer for interim relief and office report)

Date: 10/04/2013 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Appellant(s)

Mr. Dipesh Sinha, Adv.
Mr. Anirudh Singh, Adv.
Mr. Anupam Lal Das, Adv.

For Respondent(s)

Mr. Sanjoy Kr. Ghosh, Adv.
Mr. Deba Prasad Mukherjee, Adv.

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

The appeal is dismissed in terms of the signed order.

| (S.K. Rakheja)
| Court Master

| |(Indu Satija)
| | Court Master

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(Signed order is placed on the file)