

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(s).19522/2012

(From the judgement and order dated 07/02/2012 in LPA No.147/2011 of The HIGH COURT OF JHARKHAND AT RANCHI)

M/S. BHARAT COKING COAL LTD.,DHANBAD

Petitioner(s)

VERSUS

M/S. BHARAT FIRE BRICK & POTTERY WORKS

Respondent(s)

(With appln(s) for permission to place addl. documents on record and prayer for interim relief and office report)

Date: 22/08/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Mr. Anupam Lal Das,Adv.

Mr. Anirudh Singh, Adv.

Mr. Dipesh Sinha, Adv.

For Respondent(s)

Mr. Amarendra Sharan, Sr.Adv.

Mr. Ravi Varma, Adv.

Ms. Kumud Lata Das,Adv.

Ms. Poonam Sharma, Adv.

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

Heard learned counsel for the petitioner as well as learned senior counsel appearing on behalf of the respondent at length. We have also perused the orders passed by the Estate Officer, which has been confirmed by the District Judge in First Appeal by order dated 26.11.2009. Thereafter, in Letters Patent Appeal, again the findings of facts, have been confirmed. In view of

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the fact that the very identity of the land which has vested, is in dispute, the Courts below have correctly concluded that summary proceedings are not appropriate for the petitioner to obtain the

necessary relief.

The impugned judgment does not suffer from any illegality or error of jurisdiction. Consequently, it would not be possible for this Court to interfere with the orders impugned in this special leave petition. The special leave petition is, accordingly, dismissed.

The petitioners are at liberty to seek any other remedy that may be available in law.

(Sukhbir Paul Kaur)
Court Master

(Indu Bala Kapur)
Court Master