pITEM NO.1 COURT NO.14 SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).21019/2010

(From the judgement and order dated 29/05/2010 in CC No. 247/2010 of The HIGH COURT OF JHARKHAND AT RANCHI)

M/S. BHARAT COKING COAL LTD. & ORS. Petitioner(s)

VERSUS

M/S. DOMCO SMOKELESS FUELS PVT. LTD. Respondent(s)

(With prayer for interim relief and office report)
(FOR FINAL DISPOSAL)

Date: 09/09/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. Parag P. Tripathi,ASG
Mr. Anupam Lal Das,Adv.

For Respondent(s) Mr. K.K. Venugopal,Sr.Adv.
Mr. S. Chandra Shekhar,Adv.
Mr. Manoj Kumar,Adv.

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

We have perused the impugned judgment and order passed by the High Court which is under challenge in this petition.

By the said impugned judgment and order, the High Court disposed of a contempt petition filed by the respondent herein. In the order passed, the High Court had

held that in the facts and circumstances of the present case, a prima facie case was made out for initiation of the contempt proceeding but instead of proceeding further, the High Court thought it appropriate to issue a direction to the petitioners herein to refund the amount collected in excess of the notified price together with interest.

Having heard the learned counsel appearing for the parties and in the peculiar facts and circumstances of the present case, we do not find any reason to interfere with the impugned order and dispose of the Special Leave Petition without expressing any opinion on the merit of the case.

The Special Leave Petition, is accordingly, dismissed.

(V.K. TIWARI)
P.A.

(RENU DIWAN)
COURT MASTER