

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

IA 2/2009 in CIVIL APPEAL NO. 4518 OF 2007

MAHANADI COAL FIELDS LTD.(CHAIRMAN) &ANR

Appellant (s)

VERSUS

M/S JAI DURGA IRON(P) LTD. & ORS

Respondent(s)

(for vacating stay and office report)

Date: 08/05/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE J.M. PANCHAL

For Appellant(s) Mr. Anip Sachthey,Adv.

Mr.Mohit Paul, Adv.

For Respondent(s)

Mr. Ashok Bhan, Adv.

Ms. Sadhna Sandhu, Adv.

Mr. S. Siddqui, Adv.

Mr. D.S. Mahra, Adv.

Mr. Ranjeet Singh, Sr.Adv.

Mr. Mr. Rajeev Singh,Adv.

Mr. Janaranjan Das ,Adv

Mr. Swetaketu Mishra, Adv.

Mr. P.P. Nayak,Adv.

Mr. V.K. Verma ,Adv

UPON hearing counsel the Court made the following
ORDER

Issue notice on I.A.No.2 of 2009.

We find that the Union of India in its counter-affidavit (para 17) has stated that the action taken by MCL to suspend linkage is only an administrative action and any official decision on cancellation of long term coal linkage will only be taken by the Standing Linkage Committee for Sponge Iron units and that any such decision that may be taken by the said Committee will also be subject to the final decision of this Court.

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On 24.09.2007 this Court while granting leave had made it clear that the grant of leave will not come in the way of the Standing Linkage Committee taking any decision as expeditiously as possible in terms of para 17 of the counter-affidavit of Union of India.

The grievance of the applicant-first respondent in this application is that even though nearly one and half years have elapsed the Standing Committee has not taken any decision and as a result, the suspension continues to be in operation and the first respondent is not getting any coal supply.

Mr. Ashok Bhan, learned counsel appearing for the Union of India submits that he is yet to get instructions as to whether any order has been passed by the Standing Linkage Committee or not.

In the circumstances, if the Standing Committee has not taken any decision in the matter, we are sure that the Committee will take the decision expeditiously. List this matter after vacation.

(Pawan Kumar)
Court Master

(M.S. Negi)
Court Master