

ITEM NO.103

COURT NO.5

SECTION XIA

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). 4518/2007

MAHANADI COAL FIELDS LTD.(CHAIRMAN) &ANR
VERSUS

Appellant(s)

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

Respondent(s)

Date : 31/01/2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE PRAFULLA C. PANT

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

Ms. Anjali Chauhan,Adv.

Ms. Kiran Dhawan,Adv.

For Respondent(s) Mr. Akhilesh Kumar Pandey,Adv.

Mr. Rajeev Singh,Adv.

Mr. Aditya Kumar Chaudhary,Adv.

Mr. V. K. Verma,Adv. (Not present)

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

On 7 th

August, 2009 the following order was passed:

â S I.A.No.2 is filed by the first respondent for vacating the interim order of stay. On 08.05.2009 we had adjourned the matter to enable the Standing Linkage Committee to take appropriate decision in the matter. We are informed that the Standing Linkage Committee has now passed an order dated 23.07.2009. Both the parties submit that the application for vacating interim stay may be disposed of modifying the existing interim order by incorporating the directions issued by the Standing Linkage Committee. I.A.No.2 is disposed of accordingly.â \235

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Thereafter when the matter was taken up on 23 rd November, 2016, we had passed the following order:

â S It is stated that there is a bereavement in the family of the learned counsel for Respondent No.1. Hence, the matter is adjourned by ten weeks.

In the meanwhile, learned counsel appearing on behalf of the Union of India should inform us whether the directions issued by the Standing Linkage Committee in terms of our order dated 7 th August, 2009 have been implemented and the effect thereof.

Needful be done within a period of six weeks from today by way of an affidavit.â \235

Today no one is present on behalf of Union of India to tell us as to what has happened pursuant to our orders dated 7 th

August, 2009 and 23 rd November, 2016.

We adjourn the appeal by two weeks, subject to payment of costs of Rs.5,000/- to be deposited by the Union of India through the Ministry of Coal within ten days with the Supreme Court Legal Services Committee and to let us know whether any steps have been taken and if so, the details thereof.

We make it clear that the interim order passed by us on 19 th

October, 2006 does not operate as a stay of proceedings in P.S.Case No.107/2005 registered under Section 420/120B/34 I.P.C. with the Sub Divisional

Judicial Magistrate, Panposh, Orissa being G.R case
No.1381 of 2005. In other words, the concerned
Magistrate can go ahead with the proceedings.

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The Supreme Court Legal Services Committee will
utilize the deposited amount for juvenile justice issues.

(Anita Malhotra)

(Jaswinder Kaur)

Court Master

Court Master

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