

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2025
(arising out of SLP (Crl.) No. 4238/2025)

ANIRUDHA KUMAR SINGH APPELLANT(S)

VERSUS

EASTERN COALFIELD LIMITED & ANR. RESPONDENT(S)

O R D E R

Leave granted.

By way of this appeal, Anirudha Kumar Singh, the second respondent in CRR No. 3635 of 2022 on the file of the High Court at Calcutta, assails the order dated 26.11.2024 passed therein.

Having heard the learned counsel for the parties and having perused the records, we find that the High Court ordered notice in the aforestated case on 05.09.2024 in the first instance, and service of notice was effected upon the second respondent therein, viz., the appellant before us, on 14.09.2024.

Thereafter, the High Court heard the matter in part on 18.09.2024 but, by order dated 19.09.2024, the High Court deemed it appropriate to again direct service of notice upon respondent No. 2 therein, viz., the appellant, through the Salanpur Police Station.

It is an admitted fact that this notice was served upon respondent No. 2, viz., the appellant, only on 25.11.2024. This was certified by the Salanpur Police Station in its letter of the same

date addressed to the Public Prosecutor at the High Court. However, the impugned order was passed on the very next day, that is, on 26.11.2024.

Obviously, the appellant, who is a resident of Dhanbad, Jharkhand, would not have had sufficient time to make arrangements or to go over to the High Court at Calcutta by the very next day and was, therefore, not given an opportunity of hearing before the passing of the impugned order.

On that short ground, the appeal is allowed, setting aside the impugned order dated 26.11.2024, and the matter is remitted to the High Court for consideration afresh after hearing all the parties.

We, however, make it clear that we have not gone into the merits of the matter and this order is passed only due to the fact that the appellant had no opportunity to advance his case after service of the second notice.

The appeal is allowed in the aforestated terms.

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJAY KUMAR)

.....J.
(SATISH CHANDRA SHARMA)

NEW DELHI;
AUGUST 05, 2025.

ITEM NO.26

COURT NO.13

SECTION II-B

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 for Special Leave to Appeal (Crl.) No. 4238/2025

[Arising out of impugned final judgment and order dated 26-11-2024 in CRR No. 3635/2022 passed by the High Court at Calcutta]

ANIRUDHA KUMAR SINGH

Petitioner(s)

VERSUS

EASTERN COALFIELD LIMITED & ANR.

Respondent(s)

FOR ADMISSION

Date : 05-08-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR

HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) Dr. Joseph Aristotle S, Sr. Adv.
Mr. Naveen Kumar, Adv.
Ms. Priya Aristotle, AOR

For Respondent(s) Mr. Vikramaditya, AOR

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

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(Babita Pandey)
Asth. Registrar-cum-PS

(Preeti Saxena)
Court Master (NSH)

(Signed order is placed on the file)