

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4387 OF 2017

[@ SPECIAL LEAVE PETITION (C) NO. 8971 OF 2017]

[@ SPECIAL LEAVE PETITION (C).....CC. NO. CC No(s). 5015/2017]

MAHESH SINGH KISHOR SINGH

APPELLANT (S)

VERSUS

CHIEF GENERAL MANAGER NAGPUR AREA, W.C.L.,
KASTURBA NAGAR AND ANR

RESPONDENT (S)

J U D G M E N T

KURIAN, J.

1. Delay condoned.
2. Leave granted.
3. In the nature of order we propose to pass, it is not necessary to issue notice to the respondents. The appellant is aggrieved, since his representation dated 09.08.2010, pending before Chairman-cum-Managing Director, Western Coalfields Limited, Nagpur has not so far been disposed of. It is submitted that the appellant had filed a subsequent

representation as well.

4. It is brought to the notice of this Court that the co-accused/Chirkute Moje, who according to the appellant, is the main accused, has been reinstated by the Appellate Authority, whereas the request of the appellants has been turned down by the Appellate Authority. Therefore, he filed a review representation before the Chairman-cum-Managing Director, Western Coalfields Limited, Nagpur.

5. This appeal is disposed of with a direction to the Chairman-cum-Managing Director, Western Coalfields Limited, Nagpur, before whom the Representation dated 09.08.2010 is said to be pending, to consider the same on merits after affording an opportunity for hearing to the appellant. It shall be done within a period of two months from the date of production of a copy of this judgment along with a copy of this petition for special leave.

6. We make it clear that the impugned judgment passed by the High Court relegating the appellant for alternative remedy shall not stand in the way of the Chairman-cum-Managing Director, Western Coalfields Limited, Nagpur, taking a decision, as above.

7. Pending applications, if any, shall stand disposed of.

8. There shall be no orders as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[R. BANUMATHI]

NEW DELHI;
MARCH 20, 2017.



JUDGMENT