

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (C) No. 4516 of 2015

M/s Shivam Iron and Steel Co. Ltd., a Company registered under the Companies Act, 1956 having its registered office at Chowk Bazar, Giridih, P.O. and P.S. Giridih, District Giridih through its Manager(Finance)-cum-Authorized Signatory, Ranjeet Kumar Tiwary, son of Ram Nath Tiwary, resident of Mohalla-Alkapuri, Main Road, Giridih, P.O. P.S. and District Giridih (Jharkhand) ... .. Petitioner

Versus

1.Mahanadi Coalfields Limited, a Company registered under the Companies Act 1956 through its Managing Director having its registered office at Jagruti Vihar, Burla, P.O. and P.S. Jagruti Vihar, District Sambalpur, State-Odisha-768020

2.The General Manager (S&M (Office of the General Manager (S&M), Mahanadi Coalfields Limited, Jagruti Vihar, Burla, P.O. and P.s. Jagruti Vihar, District Sambalpur, State-Odisha-768020

... .. Respondents

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**CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY**

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For the Petitioner	: Mr. Sumeet Gadodia, Advocate
For the Respondents	: Mr. A.K. Mehta, Advocate

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14/13.07.2018

1. Counsel for the petitioner submits that against the impugned demand as contained in memo no. 511 dated 22.05.2015 (Annexure-16 of this writ petition), the petitioner has already invoked alternative dispute redressal mechanism as provided under clause 14 of Fuel Supply Agreement vide representation dated 4<sup>th</sup> September 2015 (Annexure-18), but no decision has been taken, therefore, the petitioner was compelled to file this writ petition.
2. Upon this, counsel for the respondents submits that the dispute which has been raised by the petitioner vide representation dated 4<sup>th</sup> September 2015 as contained in Annexure-18 to the writ petition can be decided by the respondents within a period of 8 weeks from the date of receipt of a copy of this order.
3. Considering the submissions made by the parties, this court directs the respondent no. 2, The General Manager (S&M (Office of the

General Manager (S&M), Mahanadi Coalfields Limited to decide the dispute which has been raised by the petitioner as contained in Annexure-18 to this writ petition by treating it as a petition under Clause 14 of the fuel supply agreement dated 30.04.2008 amended vide amendment dated 14/10/2011, within a period of 8 weeks from the date of receipt of a copy of this order, in accordance with law.

4. With the aforesaid observation and direction, this writ petition is disposed of.

**(Anubha Rawat Choudhary, J.)**

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