

(2019) 09 CHH CK 0163

Chhattisgarh High Court

Case No: REVP No. 187 Of 2019

M/s Mahavir Coal Washery Pvt.
Ltd.

APPELLANT

Vs

Ramesh Agrawal And Ors

RESPONDENT

Date of Decision: Sept. 25, 2019

Hon'ble Judges: P.R. Ramachandra Menon, CJ; Goutam Bhaduri, J

Bench: Division Bench

Advocate: Abhyuday Singh, K. Rohan, B. Gopa Kumar, Jyoti Singh, Siddharth Dubey, Animesh Tiwari

Final Decision: Disposed Of

Judgement

P. R. Ramachandra Menon, CJ

1. This review petition has been filed by the 8th Respondent in WP(PIL) No. 44 of 2019. The error apparent on the face of the record, as pointed out

by the learned counsel for the review petitioner, is that as per the relevant provisions of law, the public hearing can be conducted by the authorities

mentioned therein, which need not be heard by the Member Secretary himself, due to various reasons, as explained in the review petition.

2. Heard both the sides.

3. Writ Petition (PIL) No. 44 of 2019 was disposed in terms of the judgment dated 20.06.2019 passed in WP(PIL) No. 43 of 2019. A review petition

has been filed against the judgment dated 20.06.2019 passed in WP(PIL) No. 43 of 2019 as Review Petition No. 128 of 2019, which stands disposed

of vide order dated 25.09.2019.

4. Learned counsel for the parties jointly submit that this review petition may also be disposed of in terms of the order passed in Review Petition No.

128 of 2019 decided on 25.09.2019. The operative portion of the said order is extracted below :

4. In the said circumstances, we hold that there is an 'error apparent on the face of record', as contained in the last paragraph of the order dated

20.06.2019 in WPPIL No. 43 of 2019, holding that the hearing on the objections shall be conducted by the 5th Respondent himself and not by the 6th

Respondent. This will stand corrected and modified to the effect that it shall be done by any of the competent authority as mentioned in Clause 4.1 of the aforementioned Notification.

5. In view of the above submission, this Review Petition stands disposed of in the terms order dated 29.09.2019 passed in Review Petition No.128 of

2019.