

IN THE HIGH COURT OF JHARKHAND AT RANCHI**W.P.(S) No. 235 of 2020**

1.D.P. Sinha
 2. Ramesh Jha
 3.S.K. Jha
 4. Rajesh Mohan
 5. R.C. Mishra

..... Petitioners

Versus

1.M/s. Coal India Limited through its Chairman Kolkata
 2. The Director (Personnel) M/s Coal India Limited, Kolkata
 3. General Manager (Personnel) M/s Coal India Limited, Kolkata

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners : Mr. Saurabh Shekhar, Advocate

For the Respondent- M/s Coal India Limited: Mr. A. K. Das, Advocate

05/Dated: 25/06/2020

Heard, Mr. Saurabh Shekhar, learned counsel for the petitioners and Mr. A.K. Das, learned counsel for the respondent-M/s Coal India Limited.

This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic.

Mr. A. K. Das, learned counsel submits that he has received instruction on behalf of respondent nos. 1 to 3 and in that view of the matter he waives notice on behalf of respondent nos. 1 to 3. He submits that the counsel for the petitioners may be directed to serve a copy of writ petition enabling him to file counter-affidavit.

Learned counsel for the petitioners refers to I.A. No. 3620 of 2020 and draws the attention of the Court to Annexure-15 of the said interlocutory application and submits that in view of the order of the Chhattisgarh High Court, petitioners of those cases were allowed to participate for promotion for D.P.C. subject to result of final outcome of the writ petition. He further submits that in view of Chhattisgarh High Court order, Coal India has allowed the

petitioners in those cases to consider their case for promotion for DPC to E8 grade. He further submits that similar order may be passed in this writ petition.

At this stage, Mr. A.K. Das, learned counsel for the respondent- M/s Coal India Limited submits that DPC has already been completed and the result has been published on the website.

Mr. Saurabh Shekhar, learned counsel for the petitioners disputes the submission of Mr. A.K.Das and submits that DPC has completed with regard to civil discipline and not of mining discipline. He further submits that DPC is with regard to civil discipline and mining discipline the same DPC is there and in that view of the matter, the case of the petitioners may be directed to be considered and be kept in sealed cover.

Mr. A.K. Das, learned counsel for the respondent- M/s Coal India Limited disputes the submission of the learned counsel for the petitioners and submits that this matter may be taken up after six weeks enabling him to file counter-affidavit.

Considering the entire argument of the learned counsel for the parties, any process with regard to the same promotion shall be subject to the result of the writ petition. I.A. No.3620 of 2020 stands allowed and disposed of in view of above terms.

Learned counsel for the petitioners is directed to serve a copy of writ petition to the learned counsel for the respondent-M/s Coal India Limited within a week.

Post the matter on 19.08.2020.

Let the name of Mr. A.K. Das, learned counsel be reflected in the cause list on behalf of respondent-M/s Coal India Limited.

(Sanjay Kumar Dwivedi, J.)