

Lodha Colliery Co. Ltd. and Other

Vs

Union of India and Others

And

Sukumaran Nayar and Others

Vs

Union of India and Others

Writ Petition Nos. 954, 2256 and 132 of 1977, 4432 and 4678 of 1978, 340, 1295-96, 1333-34, etc. of 1979, 428, 879, 668-69, etc. of 1980, 3441, 4712-14, 6250, etc. of 1981, 3474, 3206, 3464-65, etc. of 1982 and 54-56, 4225, 8234-35, etc. of 1983

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18.09.1986

ORDER

1. These writ petitions and special leave petitions challenge the constitutional validity of the Coking Coal Mines (Nationalisation) Act, 1972 and the Coal Mines (Nationalisation) Act, 1973 [as amended by the Coal Mines nationalisation Laws (Amendment) Act, 1978]. The question of constitutional validity of these two statutes as amended by the Amending Act of 1978 is covered by the ratio of the decision of this Court in Tara Prasad Singh v. Union of India where the constitutional validity of a similar amending statute viz. Coal Mines (Nationalisation) Amending Act, 1976 was upheld by this Court. The constitutional validity of these statutes as amended by the Amending Act of 1978 must therefore, be upheld on the same parity of reasoning as set out in the judgment in Tara Prasad Singh case. We would, therefore, dismiss all these writ petitions and special leave petitions but we may make it clear that if there are any other points raised in these writ petitions and special leave petitions we must not be deemed to have expressed any opinion, on the validity of those points and it will be open to the petitioners to raise them in appropriate proceedings in the High Court. The interim order made by the court in these writ petitions on August 2, 1983 will continue to operate for a period of four weeks in order to enable the petitioners to adopt appropriate proceedings in the High Court. There will be no order as to costs in these writ petitions and special leave petitions.

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