

Court No. - 40

Case :- WRIT - C No. - 28112 of 2023

Petitioner :- Anil Mittal

Respondent :- Union Of India And 4 Others

Counsel for Petitioner :- Abhishek Kumar Chaubey

Counsel for Respondent :- A.S.G.I., G.K. Srivastava, Naresh Chandra
Nishad, Vivek Ratan Agrawal

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioner; Sri G.K.Srivastava, learned counsel for the Union of India/respondent no. 1 and Sri Vivek Ratan Agrawal, learned counsel for the NTPC/respondent no. 2 to 5.
2. The present writ petition has been preferred for a mandamus directing the respondents to pass appropriate and reasoned orders on the representations of the petitioner dated 20.7.2023 (Annexure No. 4 to the writ petition) within stipulated period.
3. At the very outset, Sri Vivek Ratan Agrawal raised a preliminary objection regarding maintainability of the writ petition and submits that NTPC-Singrauli STPS (respondent) has no direct contract agreement with M/s Shubham Traders (petitioner). M/s Shubham Traders is sub-contractor of M/s IVRCL Ltd., who is main contractor of CW duct replacement work (PO-5500008811). M/s IVRCL is having agreement with NTPC for construction of CW replacement works. M/s Shubham Traders is having agreement/purchase order with M/s IVRCL Ltd. for supply of aggregate and sand for CW duct works. M/s IVRCL Ltd. is under liquidation under Insolvency and Bankruptcy Act, 2016 by the National Company Law Tribunal (NCLT), Hyderabad. In this backdrop, he submits that the present writ petition is preferred with material concealment of fact and the same is liable to be dismissed on this ground alone.
4. Confronted with this situation, learned counsel for the petitioner fairly states that he is not inclined to press the writ petition. However, leave may be accorded to press the relief before the Official Liquidator.
5. Consequently, the present writ petition stands dismissed as not pressed with the aforesaid leave.

Order Date :- 17.10.2023

A.K.Srivastava