

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 191/2014

(M/S DALMIA CEMENT (BHARAT) LIMITED **VERSUS** UNION OF INDIA & OTHERS)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri A.C. Dharmadhikari, counsel for the petitioner.
 Shri Rohit B. Dev, A.S.G.I. for the R-1.
 Ms Prajakta Verma h/f Shri S.N. Kumar counsel for the R-2.

CORAM : SMT. VASANTI A. NAIK AND
PRASANNA B. VARALE, JJ.

DATE : JULY 7, 2015.

Shri Dharmadhikari, the learned counsel for the petitioner, states that in view of the subsequent developments, i.e. coming into the force of the Act, viz. Coal Mines (Special Provisions) Act, 2015, that is passed in view of the order passed by the Hon'ble Supreme Court in the special leave petitions, the prayer made by the petitioner in prayer clause (a) would not survive. It is stated that if the respondents contemplate action for invoking the bank guarantee dated 08.09.2009, the petitioner would take appropriate steps for challenging the said action. It is stated that since the bank guarantee is not sought to be invoked at this stage, the petitioner may be permitted to withdraw the writ petition with liberty to take appropriate steps for challenging the invocation of bank guarantee, if an occasion arises in future.

On the statement made by the learned counsel for the petitioner, we permit the petitioner to withdraw the writ petition with liberty to seek the relief in terms of prayer clause (b) before the appropriate Court/Forum, if an occasion arises in future.

Order accordingly. No costs.

JUDGE

JUDGE