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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2394/2010 & CM No. 4798/2010

INDSYNERGY LIMITED

..... Petitioner

Through: Ms. Praveena Gautam, Mr. Jitesh P.
Gupta, Mr. Pawan Shukla, Advs.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Anil Soni, CGSC with Ms.
Priyanka Singh, Mr. Abhinav Tyagi,
Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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02.04.2018

1. The record shows that on 28.04.2016, this Court had framed a poser, which is, whether the petitioner's application for prospecting licence, for Zinc, stood saved by the provisions of Section 10A(2)(c) of the Mines and Minerals (Development & Regulation) Act, 1957 (in short 'MMDR Act').

1.1 To be noted, an amendment was brought out in Section 10A of the MMDR Act by virtue of Act 10 of 2015. The amendment was brought into force w.e.f. 12.01.2015.

2. Learned counsel for the petitioner says that the contention of the petitioner stands dealt with by the judgment of the Supreme Court in the matter of *Bhushan Power and Steel Limited v S. L. Seal, Additional Secretary (Steel and Mines), State of Odisha and Others*, (2017) 2 SCC 125. For this purpose, my attention has been drawn to the discussion in the said judgment made in paragraph 22 onwards.

3. Having regard to the view taken by the Supreme Court, it is clear that nothing survives in the petition. The petition is accordingly dismissed.

4. I must indicate that the counsel for the petitioner has assisted the Court fairly and has acted, as an officer of the Court should,

by adverting to the aforesaid judgment even though observations made therein were against the interest of her own client.

RAJIV SHAKDHER, J

APRIL 02, 2018
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