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

+ W.P.(C) 4752/2018

JSW STEEL LTD. AND ANR. Petitioners

Through: Mr.Parag P. Tripathi, Sr. Adv. with
Mr.Rajat Singh Adv.

versus

UNION OF INDIA AND ORS. Respondents

Through: Ms.Maninder Acharya, ASG with
Mr.Anurag Ahluwalia, CGSC,
Mr.Sahil Sood, Mr.Harshul
Choudhary and Mr.Viplav Acharga,
Advs. for R1 and 2.
Mr.Soumyajit Pani and
Mr.Chittaranjan, Advs. for R3-5.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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06.02.2019

1. The learned Additional Solicitor General appearing on behalf of the Union sought leave of the Court to place on record the counter affidavit. The same is taken on record.

2. According to the statement on behalf of the Union of India and the State of Odisha, e-auction initiated through the Notice Inviting Tender (NIT) in question could not be proceeded with. This Court had during the pendency of the present petition directed the Central Government to take

appropriate decision on the application of the State of Odisha to relax the provisions in terms of proviso to Section 6(1)(b) of Mines and Minerals (Development and Regulation) Act, 1957. It is submitted on behalf of the Union that the Central Government has not approved the State's step in inviting the e-auction without prior approval sought. As a consequences, the State of Odisha has now withdrawn the e-tender issued by it. A copy of the letter dated 05.02.2019, addressed by the State of Orissa to the Ministry of Mines is produced and the same is also taken on record.

3. In view of the above statement, this Court is of the opinion that the Central Government has not granted any approval in terms of the proviso to Section 6(1)(b) having regard to the circumstances. Furthermore, according to the State of Odisha, even the validity of the bid has expired.

4. In the circumstances, the claim in the proceedings does not call for adjudication.

5. The writ petition is disposed of.

6. It is apparent that Central Government has not expressed any approval.

S. RAVINDRA BHAT, J

PRATEEK JALAN, J

FEBRUARY 06, 2019

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