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

+ W.P.(C) 7277/2018 & CM No. 27777/2018

DAMODAR VALLEY CORPORATION Petitioner

Through: Ms Madhumita Bhattacharjee,
Advocate.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr Ripu Daman Bhardwaj, CGSC
with Mr T. P. Singh, Advocate for
UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **01.08.2019**

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

- “a) Issue a writ in the nature of mandamus and /or any other appropriate writ/order/direction directing the respondent no. 1 & 2 to grant extension of time to the petitioner herein till May, 2019 for operationlisation of Khagra-Joydev Coal mine as per the time schedule submitted alongwith its letter dated 05.07.2018 to the respondent no.2 herein for achieving the milestones;
- b) Issue a writ in the nature of mandamus and/or any other appropriate writ/order/direction directing the respondent no.2 not to encash the performance guarantee till May, 2019 by which the petitioner intends to Construct Electrical Sub-Station and

Powerline from the State Electricity Board as per the time line.”

2. It is apparent from the above that the prayers have now been rendered infructuous in view of efflux of time.
3. The learned counsel for appearing for the petitioner states that she would require to place on record the events that have transpired thereafter and also seek appropriate relief. She also states that an interim order was passed on 16.07.2018, clarifying that any amount collected by the respondent by invocation of the bank guarantee would be subject to outcome of the present petition.
4. In view of the above, the present petition is disposed of while reserving the rights of the petitioner to file afresh. It is also clarified that the petitioner would not be precluded from seeking any relief in relation to the funds recovered by encashment of the bank guarantee furnished by the petitioner.

VIBHU BAKHRU, J

AUGUST 01, 2019
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