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

+ W.P.(C) 4276/2020

VSAIPPL SATYAM INFRA JV & ANR. Petitioners

Through: Mr. Debashis Mukherjee, Mr. Srijib
Chakraborty and Mr. Sunny Nandy, Advocates.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Chetan Sharma, ASG with
Mr. Jasmeet Singh, CGSC and Mr. Srivats
Kaushal, Advocates for R-1/UOI
Mr. Vivek Narayan Sharma, Advocates for R-2 to
R-6

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **17.07.2020**

HEARD THROUGH VIDEO CONFERENCING

W.P.(C) 4276/2020, CM APPL. 15393/2020 (by the petitioners for interim relief) and C.M. APPL. Nos. 15397-398/2020 (exemptions)

1. The present petition has been filed by the petitioners praying *inter alia* that the tender dated 26.2.2020 issued by the respondents No.4 to 6 may be awarded in favour of the petitioner No.1.
2. At the outset, on perusing the memo of parties, which reveals that not only the petitioners, all the respondents except for the respondent No.1/Ministry of Coal, U.O.I. are based in West Bengal, and on going through the averments made in the petition, we have requested learned

counsel for the petitioners to address this Court on the maintainability of the present petition in this Court.

3. Mr. Vivek Narayan Sharma, learned counsel for the respondents No.2 to 6 states that Clause 35 of the tender documents itself makes it clear that in the event any disputes arise between the parties, courts in West Bengal would be empowered to entertain the same.

4. At this stage, Mr. Chakraborty, learned counsel for the petitioners states that he may be permitted to withdraw the present petition, while reserving the right of his clients to approach the competent court vested with territorial jurisdiction to entertain the present petition.

5. Leave, as prayed for, is granted. The present petition is dismissed as withdrawn, along with the pending applications.

HIMA KOHLI, J

SUBRAMONIUM PRASAD, J

JULY 17, 2020

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