

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.31460 of 2011

***Tata Steel BSL Limited,
Dhenkanal & Others***

.....

Petitioner

Mr. S. P. Sarangi, Advocate

Vs.

Union of India & Ors.

.....

Opposite Parties

Mr.D.R. Bhokta, CGC

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

02.12.2022

I.A. No.6328 of 2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. S.P. Sarangi, learned counsel appearing for the petitioner and Mr. D.R. Bhokta, learned Central Government Counsel appearing for the opposite parties.

3. Mr. S.P. Sarangi, learned counsel appearing for the petitioner contended that Bhushan Steel Limited has been taken over by TATA Steel in the meantime. Therefore, he wants to implead TATA Steel Ltd. as party to the proceeding.

4. Mr. D.R. Bhokta, learned Central Government Counsel appearing for the opposite parties contended that many things have been mentioned in the amendment petition, to which the Union of India requires to file reply to the averments made in the said petition. He further contended that similar matter has already been disposed of by this Court in W.P.(C) No.11581 of 2010, which has been disposed of vide order dated 19.05.2011, W.P.(C) No.13394 of 2010, which has been disposed of vide order dated

11.04.2011 and W.P.(Crl.) No.194 of 2010, disposed of on 25.03.2010. Therefore, this writ petition may be disposed of in terms of the aforesaid orders.

5. Considering the grounds stated in the petition, prayer for amendment is allowed.

5. Learned counsel for the petitioner is permitted to file consolidated cause title of the writ petition within three days.

6. I.A. stands disposed of.

(DR. B.R. SARANGI)
JUDGE

(B.P. SATAPATHY)
JUDGE

W.P.(C) No.31460 of 2011

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Heard Mr. S.P. Sarangi, learned counsel appearing for the petitioner and Mr. D.R. Bhokta, learned Central Government Counsel appearing for the opposite parties.

2. Mr. S.P. Sarangi, learned counsel appearing for the petitioner contended that the case of the petitioner is covered by the ratio decided by this Court in Bhusan Steel Ltd. and another v. State of Odisha & Ors. (W.P.(C) No.8586 of 2018, disposed of on 05.08.2022). It is further contended that the reliance placed by learned Central Government Counsel appearing for the opposite parties on order dated 19.05.2011 passed by this Court in W.P.(C) No.11581 of 2010 has no application to the present case. It is contended that in the meantime much water has been flown. Thereafter, the apex Court has considered the same. It is further

contended that the Resolution Plan in respect of the petitioner-company, which was approved by the National Company Law Tribunal (NCLT), has been confirmed by the National Company Law Appellate Tribunal (NCLAT). After the order passed by the National Company Law Appellate Tribunal (NCLAT), this Court has passed order dated 05.08.2022 in W.P.(C) No.8586 of 2018. Thereby, the case of the petitioner is covered by the order dated 05.08.2022 passed by this Court in W.P.(C) No.8586 of 2018.

3. Mr. D.R. Bhokta, learned Central Government Counsel appearing for the opposite parties stated that he has no objection to the contentions raised by learned counsel appearing for the petitioner.

4. In view of the above, the writ petition stands disposed of in terms of the order dated 05.08.2022 passed by this Court in W.P.(C) No.8586 of 2018.

5. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

(B.P. SATAPATHY)
JUDGE