

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.53 of 2015

M/s. Bhushan Steel Ltd., Dhenkanal* *Appellant

Mr. N. Panda, Advocate and
Mr. S. P. Sarangi, Advocate for Tata Steel Limited
-versus-

***The Talcher-Angul Meramandali* *Respondents*
Development Authority, Angul and
*others***

Mr. Ishwar Mohanty, ASC for State

**CORAM:
THE CHIEF JUSTICE
JUSTICE CHITTARANJAN DASH**

**ORDER
21.09.2022**

Order No.

Misc. Case No.81 of 2015

02. 1. For the reason stated, the delay of 48 days in filing the appeal is condoned. The Misc. Case is allowed.

W.A. No.53 of 2015

2. It is pointed out that M/s. Bhushan Steel Limited has been taken over by M/s. Tata Steel Limited and there is a resolution plan approved by the National Company Law Tribunal and further confirmed by the Company Law Appellate Tribunal in terms of which, the dues of the Respondent have to be dealt with.

3. In that view of the matter, the writ appeal is disposed of with a direction that notwithstanding the judgment of the learned Single Judge, the dues owed by the Appellant to the Respondents shall be considered in light of the judgment of the Supreme Court of

India in *Ghanashyam Mishra and Sons Private Limited v. Edelweiss Asset Reconstruction Company Limited*, (2021) 9 SCC 657, which explains the legal position in this regard.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

M. Panda

