

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.5078 OF 2007

Balaji Electro Smelters Ltd. MIDC Yavatmal, Thr. Managing Director

-vs-

The Union of India, Thr. Secretary Ministry of Mines, Department of Mines, Shashtri Bhavan,
New Delhi and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri M. G. Bhangde, Senior Advocate with Shri M. M. Agnihotri,
Advocate for petitioner.
Shri S. A. Choudhary, Advocate for respondent No.1.
Ms Tajwar Khan, Assistant Government Pleader for respondent No.2.
Shri S. A. Jaiswal, Senior Advocate with Shri Rahul Pandey, Advocate
and Shri Devendra Ranade, Advocate for respondent No.3.

CORAM : A. S. CHANDURKAR AND M. W. CHANDWANI, JJ.

DATE : November 17, 2022

Civil Application No.2500/2022

By this application the petitioner seeks to withdraw the writ petition on the ground that the petitioner does not desire to prosecute the same further.

The learned counsel for the parties were heard for sometime on 10/11/2022. On the next date of hearing it was informed that the parties are negotiating and a settlement was likely. Accordingly this civil application has been moved today.

The Writ Petition is accordingly permitted to be withdrawn. Civil Application is disposed of.

We may only refer to the order dated 02/11/2007 by which this Court had directed that execution of mining lease in favour of respondent No.3 shall not be executed until further orders while granting liberty to complete statutory process. In view of withdrawal of the writ petition the respondent Nos.1

and 2 are free to proceed further in the matter.

It may also be noted that on 06/01/2017 after hearing the learned counsel for the parties this Court had clarified that the amendment to the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 which came into effect in the year 2015 would not operate to the prejudice of respondent No.3.

The writ petition is accordingly disposed of as withdrawn.
Rule stands discharged. No order as to costs.

(M. W. Chandwani, J.)

(A. S. Chandurkar, J.)

Asmita