



\$~62

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 441/2024 & CM APPLs. 2027/2024, 2029/2024
M/S STEEL AUTHORITY OF INDIA LIMITED (SAIL)

..... Petitioner

Through: Mr. Parag P. Tripathi, Sr. Advocate
with Mr. Yashraj Singh Deora, Mr.
Priyesh Mohan Srivastava and Ms.
Sonal K. Chopra, Advocate.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Ms. Shiva Lakshmi, CGSC with Mr.
Madhav Bajaj and Mr. Vishal Singh,
Advocates for R-1.
Mr. Dhananjaya Mishra and Mr.
Navneet Dogra, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

15.01.2024

%

1. The Petitioner has approached this Court challenging the Final Compensation Order dated 16.10.2023 passed by the Office of Nominated Authority of Ministry of Coal, Govt. of India. Paragraph No.5 of the said Order reads as under:

“5. In accordance with section 27 of the Act and the judgement dated 09.03.2017, it is open to M/s Steel Authority of India Limited (SAIL) (Prior allottee) and M/s JSW Steel Limited (JSWSL) (Successful allottee) to raise disputes with regard to the quantum of compensation before the Tribunal constituted under the Coal Bearing area (Acquisition and Development) Act 1957.”

2. Learned Senior Counsel appearing for the Petitioner has handed over a chart in respect of the costs claimed by the Petitioner. He states that the Impugned Order is completely unreasoned as to why these costs claimed by



the Petitioner, which was granted by this Court in GVK Power (Goindwal Sahib) Limited & Anr. vs. Union of India & Anr., 2017 SCC OnLine Del 7406, has been denied to the Petitioner contrary to the said Judgment.

3. In view of the fact that there is an alternate remedy available, this Court at this juncture is not inclined to entertain this writ petition.

4. The Petitioner is directed to approach the Appellate Authority within 10 days from today and if the Petitioner approaches the Appellate Authority within 10 days then the petition may not be dismissed only on the ground of limitation and the benefit of Section 14 of the Limitation Act will be available to the Petitioner.

5. Keeping in view the fact that the amounts claimed by the Petitioner has already been covered in the aforesaid Judgment passed by a Division Bench of this Court, the Appellate Authority is directed to adjudicate on the issue as expeditiously as possible, preferably within a period of three months from today.

6. The Respondent No.2/M/s JSW Steel Limited who was the successor to the Petitioner would also be entitled to raise all objections available to it under law.

7. In view of the above, the writ petition is disposed of, along with pending application(s), if any.

8. Liberty is granted to the Petitioner to approach this Court again in case need so arises in future.

SUBRAMONIUM PRASAD, J

JANUARY 15, 2024

S. Zakir