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

+ **W.P.(C) 4479/2024**

M/S COASTAL PROJECTS LIMITED

..... Petitioner

Through: Ms. Mani Gupta, Mr. Pranav Malhotra and Ms. Sonali Jain, Advocates.

versus

GOVERNMENT E-MARKETPLACE & ORS.

..... Respondents

Through: Ms. Shweta Bharti, Mr. Anil Tiwari & Mr. S. Akshata, Advocates for R-1. Mr. Arnav Kumar, CGSC with Mr. Aranya Sahay, Mr. Pranaya Sahay, Ms. Neha Sharma, Advocates and Ms. Karnika Bahuguna, GP/R-2 & 3. Mr. Puneet Taneja, Mr. Manmohan Singh Narula and Mr. Anil Kumar, Advocates for R-4 and 5.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **22.03.2024**

CM APPL. 18351/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 4479/2024 & CM APPL. 18350/2024

1. The Petitioner has approached this Court with the following prayers:

“a) Issue a Writ in the nature of mandamus and direct Respondent No. 1 to immediately register the Petitioner on its portal so that it can avail the benefits of Vivad se Vishwas – II [Contractual Disputes] Scheme bearing No. F. 1/7/2022-PPD [“Scheme”]



issued by Respondent No. 3;

b) Issue a Writ in the nature of mandamus and direct the Respondent No. 1 to make appropriate changes to the technological infrastructure of Respondent No. 1's Portal / Website in order to allow verification / validation of Petitioner, even when its status shows as 'under liquidation'.

c) Pass such other and further orders which this court may deem fit and proper in the facts and circumstances of the case."

2. The facts of the case reveal that the Petitioner is undergoing liquidation. Three Awards have been passed in favour of the Petitioner and against the National Thermal Power Corporation (NTPC), NTPC Vidyut Vypar Nigam Limited and National Hydroelectric Power Corporation (NHPC). The Government of India brought out a Scheme "Vivad se Vishwas – II (Contractual Disputes)" under which authorities have been mandated to accept applications under the Scheme and pay the amounts to resolve the disputes. It is stated that the Petitioner is unable to upload the application on the portal for the reason that the Petitioner is undergoing liquidation.

3. Learned Counsel appearing for Respondent No.1 states that they are making all endeavours to ensure that changes are effected on the portal to accept the claim of the Petitioner as well.

4. Learned Counsel appearing for the Petitioner raises an apprehension that "Vivad se Vishwas – II (Contractual Disputes)" Scheme is valid till 31.03.2024 and the Petitioner would not be able to take the benefit of the Scheme if the Petitioner's claim is not registered with the portal.



5. Learned Counsel appearing for the Respondent No.1 and Respondent No.2 give an assurance to the Court that all endeavours will be made to ensure that the Petitioner's claim is accepted before the 31.03.2024 by making necessary adjustments in the portal. However, in case they are unable to upload the claim of the Petitioner by 31.03.2024, the claim of the Petitioner will not be rejected merely on the ground that the "Vivad se Vishwas – II (Contractual Disputes)" Scheme has lapsed.
6. In view of the statement made by the learned Counsel appearing for the Respondent No.1 and Respondent No.2, no further Orders need to be passed in the present writ petition.
7. With these observations, the writ petition is disposed of, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

MARCH 22, 2024

S. Zakir