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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 12212/2023 & CM APPLs. 47991/2023, 66218/2023 & 1689/2024

MS HINDALCO INDUSTRIES LIMITED Petitioner
Through: Mr. Amit Sibal, Sr. Advocate with
Mr. Ashish Prasad, Ms. Mukta Dutta,
Mr. Kaustubh Mishra and Ms. Hasnat
Nazki, Advocates.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Kirtiman Singh, CGSC with Mr.
Waize Ali Noor, Ms. Vidhi Jain and
Ms. Shreya V. Mehra, Advocates for
UoI.
Mr. Neeraj, SPC with Mr. Vedansh
Anand, GP and Mr. Mahesh Kumar
Rathore, Mr. Piyush Beriwal, Mr.
Rudra, Advocates for R-2/Coal India.
Mr. Sumeer Sodhi and Ms. Bhawana
Mapwal, Advocates for R-3 (State of
Chhattisgarh).

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

07.02.2024

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

“(a) Issue an appropriate writ, order or direction, more particularly a writ of mandamus directing the Respondent No. 1 and Respondent No. 3 to act upon Termination Notice dated 20.11.2020 issued by the Petitioner, and forthwith takeover the Gare Palma IV/5 mine and confirm in writing that the Petitioner is no



longer the allottee of the Gare Palma IV/5 coal mine.

(b) Issue a Writ of Mandamus or any other appropriate writ, order or direction, directing the Respondent No.2 to permit the Petitioner to place bids for coal linkages under subsequent Tranches of NRS Auction without adjusting the peak rated capacity of Gare Palma IV/5 coal mine against the coal requirement of the Specified End Use Plants of the Petitioner.

(c) Pass any other order(s) or direction(s) as this Hon'ble Court may deem fit and proper in the interest of justice."

2. It is stated that during the pendency of the writ petition, the Respondent No.3/State of Chhattisgarh has passed an Order of termination of coal mine lease and consequently, the Respondent/Union of India has also issued a letter dated 07.02.2024 terminating the Coal Mine Development and Production Agreement dated 02.03.2015 and vesting Order dated 23.03.2015 in respect of GP IV/5 Coal Mine which was allotted to the Petitioner.

3. Learned Counsel appearing for the Respondent No.2 states that he has instructions to state that necessary changes would be made in the portal of the Respondent No.2 for permitting the Petitioner to place its bid for coal linkages. The Respondent No.2 is directed to make the necessary changes on the portal before 12.02.2024 i.e., the last date of auction.

4. Resultantly, nothing survives in the present writ petition. The writ petition is disposed of, along with pending application(s), if any.

5. It is made clear that the present Order has been passed only confined to the prayers made in the writ petition.



6. It is made clear that in respect of any other obligations in the letter dated 07.02.2024, the Petitioner is entitled to avail all such remedies as may be available in accordance with law.

SUBRAMONIUM PRASAD, J

FEBRUARY 7, 2024

S. Zakir