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

+ **W.P.(C) 10610/2024 & CM APPL. 43593/2024**

SARDA METALS AND ALLOYS LIMITEDPetitioner

Through: Mr. Prashanto Sen, Senior Advocate
with Ms. Shalini Basu, Mr. Sumeet
Singh and Ms. Rashi Goswami,
Advocates.

versus

STEEL AUTHORITY OF INDIA LIMITED & ANR.

.....Respondents

Through: Mr. Sharat Kapoor, Mr. Shubh
Kapoor and Ms. Bhavyah Garg,
Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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05.08.2024

1. Pursuant to directions issued on 01st August, 2024, Mr. Sharat Kapoor, counsel for Respondent No. 1– Steel Authority of India Limited [‘**SAIL**’] submits that they received an e-mail communication from Petitioner regarding the delivery schedule.
2. Mr. Kapoor states that the delivery schedule has now been revised to 17th May, 2024- 15th August, 2024: 7500 MT and 16th August, 2024-14th September, 2024: 2500 MT. He however, submits that the liquidated damages shall be applicable at parity with other similarly placed parties in terms of GeM Contract dated 17th May, 2024.
3. Mr. Prashanto Sen, Senior Counsel for Petitioner, without prejudice to



his rights and contentions, states that they are willing to make the supplies as per the delivery schedule referred above. The question of liquidated damages, if applicable, would be urged for Court's consideration in W.P.(C) 8635/2024. Mr. Sen further states that the supplies will commence from today itself.

4. In view of the statement made by counsel for Petitioner, Mr. Kapoor states that SAIL would now not be processing the tender any further.

5. In view of the above, no further directions are required to be passed in the present matter. However, in the event, Petitioner are precluded from participating in any other tenders, on the grounds of rejection which forms subject matter of the present matter, they shall be free to take appropriate recourse, in accordance with law.

6. With the above directions, the present petition is disposed of, along with pending application.

7. All rights and contentions of parties are left open.

SANJEEV NARULA, J

AUGUST 5, 2024

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