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IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of Decision: 14.01.2025***

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W.P.(C) 12845/2019 & CM Appl.52443/2019**S. VAIKUNDARAJAN**

.....Petitioner

Through: Mr. G.B. Balaji, Adv.

versus

UNION OF INDIA AND ANR.

.....Respondents

Through: Mr. Ripudaman Bhardwaj, CGSC
with Mr. Kushagra Kumar and Mr.
Abhinav Bhardwaj, Advs. for UOI.**CORAM:****HON'BLE MS. JUSTICE TARA VITASTA GANJU****ORDER****14.01.2025**

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TARA VITASTA GANJU, J.: (Oral)

1. The present Petition has been filed on behalf of the Petitioner *inter-alia* seeking the following prayers:

“i) Issue a writ of Certiorari directing the respondents to place before this Hon'ble Court the entire record pertaining to F No.16/43/2019-M-VI and quash the order dated 6-11-2019 terminating the licence granted to the Petitioner on the ground that the same is illegal, arbitrary, perverse, violation of principles of natural justice, ultra vires and unconstitutional and

(iii) (sic ii) Issue a Writ of Mandamus directing the respondents to supply the documents/materials as mentioned in the reply dated 31-8-2019 sent by the Petitioner to the show cause notice dated 19-8-19 and

(iv) (sic iii) to pass such further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.”

2. Although, the Petition was first listed on 06.12.2019, on a submission that some similar matters are listed before the Supreme Court on



09.12.2019, the matter was adjourned by this Court. Thereafter, the matter has been adjourned over a period of more than five years without actually being heard for the same reason. This Court had on 07.01.2025 recorded the contention of the Petitioner that the judgment and order dated 18.09.2020 in W.P.(C) 8410/2020 captioned *M/s Standard Metalloys Pvt. Ltd. v. Union of India* passed by the High Court of Andhra Pradesh is the subject matter of challenge by Respondent No.1/UOI pending before the Supreme Court.

3. Learned CGSC for Respondents submits that the issue as obtains in the present Petition also obtains in a Special Leave to Appeal (C) No(s). 13447/2020 and that by an order dated 17.02.2021 passed by the Supreme Court, the operation of the Judgment and order dated 18.09.2020 passed by the High Court of Andhra Pradesh has been stayed.

4. Learned Counsel for the Petitioner, on the other hand, submits that the present Petition is the third round of litigation by the Petitioner. He submits that on 07.06.2010, the administering authority notified 63 blocks in the Arabian Sea for grant of exploration license [hereinafter referred to as "Exploration License"] and pursuant to a notification, the Petitioner applied for such an Exploration License. A screening committee was constituted for award of the licenses and based on its report, the Petitioner and 15 other entities were selected. The Exploration License was for the purpose of offshore drilling of mineral resources and continental shelf and exclusive economic zone and other maritime zones of India in the Arabian Sea and the Bay of Bengal.

5. It is not disputed by the Respondents that the Exploration License was granted to the Petitioner and 15 other entities. However, by a notification



dated 27.07.2019 issued by the Department of Atomic Energy, the Exploration Licenses were cancelled by the Respondents. This cancellation was subject matter of adjudication in W.P.(C) 8410/2020 filed in the High Court of Andhra Pradesh. By an order dated 18.09.2020 passed by the High Court of Andhra Pradesh, W.P.(C) 8410/2020 was allowed. Thereafter, the Respondents filed an Appeal before the Supreme Court and as stated above, on 17.02.2021 the Supreme Court stayed the operation of the Impugned Judgment. Thus, quite clearly the Exploration License validity/cancellation is subject matter of adjudication before the Supreme Court. This position is not disputed by either party.

6. In view of the foregoing, and on instructions, learned Counsel for the Petitioner seeks and is granted liberty to approach the Supreme Court for adjudication of his grievances. The rights and contentions of the parties are left open in this regard.

7. The Petitioner is at liberty to approach this Court subsequently, *albeit*, in accordance with law if his grievance is not redressed.

8. The Petition is accordingly disposed of. Pending Application also stands disposed of.

9. The parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

JANUARY 14, 2025/r

Click here to check corrigendum, if any