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

+ **LPA 4/2026**

ELECTROSTEEL CASTINGS LIMITEDAppellant

Through: Mr. Sandeep Sethi, Senior Advocate
with Mr. Gaurav Juneja, Mr. Aayush
Jain, Ms. Monika Singh and Ms.
Muskan Narang, Advocates.

versus

JSW STEEL LIMITED & ORS.Respondents

Through: Mr. Krishnan Venugopal, Senior
Advocate with Mr. Mahesh Agarwal,
Mr. Rishi Agrawala, Mr. Dhananjaya
Mishra, Mr. Tejasvi Chaudhry, Mr.
Navneet Dogra, Mr. Amrithesh
Mohanty, Ms. Umang Motiyani, Ms.
Nandini Kaushik and Mr. Labeeb
Faaeq, Advocates for R1.
Mr. Chetan Sharma, ASG with Mr.
Abhishek Gupta, Mr. Kumar
Kartikeya, Mr. Shaswat Kr. Pandey,
Mr. Dhananjay Singh, Advocates for
R2 and 3.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

06.01.2026

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CM APPL. 532/2026

1. This is an Application moved by M/s Electrosteel Castings Limited, the Appellant in LPA 4/2026. LPA 4/2026 was disposed of by this Court on 05.01.2026 along with LPA 2/2026.



2. The prayer made in the present Application is that the said Order dated 05.01.2026 be modified indicating therein that the deferment of the Compensation Order dated 19.11.2025 (“**Compensation Order**”) is only to the extent of the obligation of M/s JSW Steel Limited to deposit ₹196,75,73,853/- and the rest of the Compensation Order will continue to operate.

3. Heard the learned Counsel for the Parties.

4. While considering both the LPAs, i.e., LPA 2/2026 filed by M/s JSW Steel Limited and LPA 4/2026 filed by M/s Electrosteel Castings Limited, this Court passed the Order dated 05.01.2026 and did not interfere with the order passed by the learned Single Judge for the reason that the learned Single Judge had refused to entertain the Writ Petition, i.e., W.P.(C) 19512/2025 filed by M/s JSW Steel Limited on the ground of availability of a statutory remedy under Section 27(3) of the Coal Mines (Special Provisions) Act, 2015 (“**Act**”). The Order dated 05.01.2026 only provides that the Compensation Order, which was under challenge before the learned Single Judge shall stand deferred till the application seeking stay moved by M/s JSW Steel Limited in proceedings under Section 27(3) of the Act is decided.

5. The learned Single Judge, in the Impugned Order dated 23.12.2025 (“**Impugned Order**”), had provided deferment of the entire Compensation Order till 14 days or till filing of the appeal, whichever is earlier, however, we modified the Impugned Order for the reason that in case the interim order is not allowed to operate till the disposal of the application seeking stay, the very purpose of filing the appeal for proceedings under Section 27(3) of the Act may be frustrated.



6. Accordingly, we are not convinced with the prayer made by M/s Electrosteel Castings Limited for the reason that we cannot bifurcate the directions given in the Compensation Order. Even otherwise, if the Compensation Order is deferred for 15 days within which period the Appellate Tribunal has been directed to decide the stay application, no prejudice is going to be caused to either of the Parties. The prayer made in the present Application is, thus, rejected.

7. However, we make it clear that the Appellate Tribunal, while proceeding to consider the application seeking stay moved by M/s JSW Steel Limited in the proceedings under Section 27(3) of the Act will be guided by its own considerations and shall decide the prayer for stay on merits based on the pleadings, which may be made by both the Parties before the Appellate Tribunal. We also clarify that the Appellate Tribunal shall not be guided by the Order dated 05.01.2026 and shall consider the prayer for stay on its own merits.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

JANUARY 6, 2026/sms