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

+ W.P.(C) 7572/2025 and CM APPL. 33793/2025, CM APPL. 73432/2025

**ORISSA METALLURGICAL INDUSTRY
PRIVATE LIMITED**

.....Petitioner

Through: Mr Gaurav Juneja, Ms Swastika Chakravarti, Ms Monika Singh, Mr Yashwant Gaggar, Ms Mimansha Durgapal, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Siddhartha Shankar Ray, CGSC with Ms. Sonali Modi, Advocate, Mr. Mukul Dev, Advocates for R-1 and 2. Ms. Maninder Acharya, Sr. Adv. with Mr. Adarsh Tripathi, Mr. Vikram Singh Baid and Mr. Ajitesh Garg, Advocates for R-3. Mr Hrithik Goyal and Mr LR Goyal Advocates for Respondent-Axis Bank.

**CORAM:
HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV**

**ORDER
20.03.2026**

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1. It appears that there is an alternate remedy under Section 27 of the Coal Mines (Special Provisions) Act, 2015 to challenge the impugned



action.

2. In view thereof and keeping in mind the principles laid down by this Court in the case of ***JSW Steel Ltd. vs. Union of India & Ors.***¹, the Court is not inclined to continue the instant petition and instead grants liberty to the petitioner to avail the remedy before the competent Tribunal/Forum.

3. All rights and contention of the parties are left open.

4. The Court, however, finds that earlier some interim arrangement was made. Since the petition was entertained and the interim arrangement was made *vide* Order dated 09.06.2025, therefore, in interregnum, the Court deems it appropriate to balance the equity.

5. It be noted that in affidavit dated 11.02.2026 filed by respondent nos. 1 and 2 the Union of India (UOI), has taken the following position:

“5. It is most respectfully submitted that, in compliance with the order of this Hon’ble Court, the petitioner has deposited an amount of Rs. 39 crores (approx.) towards the incremental fixed amount. If this Hon’ble Court directs disbursement of the said amount to the prior allottee, i.e., DVC/Applicant, the Respondents herein would have no objection to releasing the said amount to the DVC/Applicant as the same had already been decided by the final compensation order issued by the office of Nominated Authority.”

6. Ms. Maninder Acharya, learned senior counsel for respondent no. 3- Damodar Valley Corporation (hereinafter ‘**the DVC**’) submits that the amount deposited by the petitioner with necessary interest be released to DVC, subject to DVC’s undertaking that in case the Tribunal/Forum eventually determines the entitlement of the petitioner to the said amount, the DVC shall adhere to the Tribunal’s/Forum’s direction within a period of 60 days from the date of passing of the direction.

¹ WP(C) 19512/2025 Order dated 23.12.2025



7. In view of the undertaking given by the DVC, any violation to aforesaid undertaking shall be construed to be the contempt of this Court. Putting the DVC on the aforesaid terms and to redeposit the amount with necessary interest for its onwards transmission, the interim order passed earlier stands modified.

8. However, the petitioner's case be decided strictly on merit without being influenced by any of the interim observation(s) passed by this Court.

9. Let the petitioner to approach the concerned Tribunal or to take appropriate recourse in accordance with law within a period of 14 days from today.

10. With the aforesaid directions, the petition, along with pending applications, stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

MARCH 20, 2026

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