

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No. 20031/2022

(Arising out of impugned final judgment and order dated 04-07-2022 in WP(C) No. 23352/2015 passed by the High Court of Orissa at Cuttack)

MSP STEEL AND POWER LTD.

Petitioner(s)

VERSUS

ODISHA MINING CORPORATION LTD & ORS.

Respondent(s)

(IA No.167991/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 18-11-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH

HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Sujit Ghosh, Adv.
Ms. Mannat Waraich , AOR
Mr. Joybrata Mishra, Adv.
Mr. Ashray Behura, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

What was challenged before the High Court was the forfeiture of the EMD deposited pursuant to the e-auction notice for sale of iron ore and iron ore fines. The High Court has not entertained the writ petition by observing that it would be open for the petitioner to pursue its remedy before the appropriate authority in terms of the agreement executed between the parties. It is submitted that, as such, the appropriate authority - Managing director has already taken a decision. Therefore, no useful purpose will be served

contd..

to again approach the same authority. We do not agree with the same . Let the petitioner approach the appropriate authority under the agreement and if any adverse decision is passed and/or the petitioner is not satisfied with the decision of the appropriate authority, it will always be open for the petitioner to take further steps/avail remedy that may be available under the law.

With this, the Special Leave Petition stands disposed of.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR