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

+ W.P.(C) 11727/2025, CM APPL. 48006/2025, CM APPL. 51081/2025, CM APPL. 51082/2025, CM APPL. 51099/2025, CM APPL. 51317/2025, CM APPL. 60281/2025, CM APPL. 62859/2025, CM APPL. 62934/2025, CM APPL. 10181/2026 & CM APPL. 14676/2026

AGI GREENPAC LIMITED

.....Petitioner

Through: Mr. Sanjay Jain, Mr. Vaibhav Gaggar, Senior Advocates with Mr. Akshay Nanda, Ms. Vaishali Goyal, Mr. Raahul Sharma, Mr. Rahul Dhingra, Mr. Rohan Malhotra, Ms. Harshita Sukhija, Mr. Abhishek Nain, Ms. Rishika Agrawal, Ms. Priya Tyagi, Mr. Rishank Tripathi, Ms. Srishti Juneja, Ms. Kanika Singh, Mr. Saurav Deep, Advocates.

versus

COMPETITION COMMISSION OF INDIA & ANR.

.....Respondents

Through: Mr. Udayan Jain, Mr. Ranjan Mishra, Mr. Harsh Jaiswal, Advocates for CCI.

Mr. Ritin Rai, Mr. Abhimanyu Bhandari, Senior Advocates with Mr. Utsav Trivedi, Mr. Rishav Banerjee, Ms. Manini Roy, Ms. Nandini Acharya, Ms. Sanjana Rai, Ms. Unnati Agarwal, Mr. Swapnil Singh, Advocates for the Independent Sugar Corporation Ltd./R-2.

Mr. Saurabh Kirpal, Sr. Adv. alongwith Mr. Siddhant Kant, Mr. Rajat Chaudhary, Ms. Moulshra



Shukla, Ms. Gayathri
Balasubhramanian, Advocates for
Committee of Creditors of HNGIL.
Mr. Yadunath Bhargava, Mr. Vikas
Sharma, Advocates for Intervenor in
CM APPL. 51081/2025.
Mr. Rajiv Nayar, Senior Advocate
with Mr. Utsav Trivedi, Ms. Manini
Roy, Ms. Nandini Acharya and Ms.
Sanjana Rai, Advocates.
Mr. Pranjit Bhattacharya, Ms. Salonee
Shukla, Ms. Souravi Das, Ms. Shalini
Singh, Advocates for Intervenor/ECL.

+ W.P.(C) 13250/2025, CM APPL. 54378/2025, CM APPL.
57384/2025, CM APPL. 57385/2025, CM APPL. 59490/2025, CM
APPL. 64716/2025, CM APPL. 64717/2025, CM APPL. 64786/2025,
CM APPL. 64787/2025, CM APPL. 65051/2025, CM APPL.
65052/2025 & CM APPL. 3041/2026

MUKUL SOMANY & ANR.

.....Petitioners

Through: Mr. Raghenth Basant, Sr. Advocate
with Ms. Sonali Jain, Mr. Mudit
Gupta, Ms. Hima Bhardwaj,
Advocates.

versus

COMPETITION COMMISSION OF INDIA & ORS.

.....Respondents

Through: Mr. Udayan Jain, Mr. Ranjan Mishra,
Mr. Harsh Jaiswal, Advocates for
CCI.
Mr. Saurabh Kirpal, Sr. Adv.
alongwith Mr. Siddhant Kant, Mr.
Rajat Chaudhary, Ms. Moulshra
Shukla, Ms. Gayathri
Balasubhramanian, Advocates for
Committee of Creditors of HNGIL.



Mr. Vikram Wadehra, Ms. Smriti Churiwal, Mr. Jaiveer Kant, Ms. Meher Thapar, Advocates for the Respondent No. 3 (RP)

Mr. Yadunath Bhargava, Mr. Mohit Auluck, Advocates for Intervenor in CM APPL. 64716/2025.

Mr. Rajiv Nayar, Senior Advocate with Mr. Utsav Trivedi, Ms. Manini Roy, Ms. Nandini Acharya and Ms. Sanjana Rai, Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
16.03.2026

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1. Mr. Rajiv Nayar, Senior Counsel appearing for Independent Sugar Corporation Limited, submits that notice has not been issued in the present petitions in view of objections relating to maintainability requires consideration at the threshold.
2. It is submitted that the challenge raised in the present proceedings, as well as in the earlier order dated 08th July, 2025 passed in W.P.(C) 9079/2025, in effect relates to the approval granted to Independent Sugar Corporation Limited in Combination Registration No. C-2022/09/974 dated 30th September, 2022. It is contended that such approval is amenable to challenge in accordance with the statutory mechanism and the Petitioner cannot be permitted to indirectly assail the same by seeking directions for consideration of representations, in the absence of any statutory basis, or by invoking the writ jurisdiction of this Court to first seek a direction for consideration of such representations and thereafter assail the outcome



thereof by way of subsequent proceedings.

3. Having regard to the aforesaid submissions, this Court considers it appropriate to examine the question of maintainability at the threshold.

4. The parties are directed to file a brief note of submissions on the question of maintainability, not exceeding three pages, along with relevant case law(s) on which the counsel for the parties seek to rely upon within a period of at least two weeks before the next date of hearing.

5. Re-notify on 18th May, 2026.

SANJEEV NARULA, J

MARCH 16, 2026/ab