

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 9617 of 2023

*Vedanta Limited through its  
General Counsel (Aluminum &  
Power)* .....

*Petitioner*

*Dr. A.M. Singhvi, Sr. Advocate,  
Mr. Dhruv Mehta, Sr. Advocate,  
Mr. P. C. Sen, Sr. Advocate,  
along with Mr. P.S. Sudheer, Sidharam  
Sheen, Udayan Verma, Anushav Ray and  
P.K. Nayak, Advocates .*

Vs.

*Odisha Mining Corporation Ltd.  
and others* .....

*Opposite Parties*

*Mr. A.K. Parija, Sr. Adv. along with  
Mr. P.K. Muduli, Adv.  
Mr. P.P. Mohanty, AGA  
Mr. P.K. Parhi, DSGI along with  
Mr. S.S. Kashyap, CGC*

**CORAM:**

**DR. JUSTICE B.R. SARANGI**

**MR. JUSTICE M.S. RAMAN**

**ORDER**  
**19.05.2023**

**Order No.**  
04.

**I.A. No. 7453, 7106 & 7455 of 2023**

These matters are taken up through hybrid mode.

2. Heard learned counsel for the parties.
3. I.A. No. 7453 of 2023 has been filed by the petitioner seeking clarification/ modification/ recalling of the order dated 15.05.2023 passed in I.A. No. 9617 of 2023, by which this Court observed that since the period of agreement has already been over w.e.f. 19.04.2023, therefore, the interim arrangement made by this Court vide order dated 29.03.2023 passed in I.A. No. 4417 of 2023 stands automatically lapsed on expiry of the period of agreement. It was also observed by this Court that unless the petitioner executes fresh agreement with the opposite party-OMC, the question of interim arrangement, at this stage, may not be possible and, accordingly, the matter was adjourned to after two weeks.
4. Dr. A.M. Singhvi, learned Senior Advocate appearing along with Mr.

Dhruv Mehta, learned Senior Advocate and Mr. P.C. Sen, learned Senior Advocate brings to the notice of this Court that the Sales Agreement for Bauxite, which is annexed to I.A. No. 7455 of 2023 as Annexure-71, has been executed on 16.05.2023. In view of execution of fresh agreement dated 16.05.2023, cause of action arose for the petitioner to approach this Court for grant of interim order. Due to non-supply of raw material, i.e. Bauxite, the industry is facing a closure. Therefore, there is urgency in the matter. Accordingly, it is preponed to today for consideration of interim order. Consequentially, the matter is taken up today on filing of I.A. applications and mention being made by learned Senior Advocates for the petitioner.

5. After hearing learned counsel for the respective parties and considering the urgency involved and keeping in view the fact that the agreement has already been executed between the parties on 16.05.2023 and also that the petitioner is suffering because of non-supply of bauxite to its industry, this Court, in modification of the order dated 15.05.2023, directs that the interim arrangement as had been made by this Court vide order dated 29.03.2023, shall continue till next date. Needless to say, in the event of not succeeding in the writ petition, the petitioner will be liable to pay the entire demand raised by the opposite parties.

6. All the I.As. stand disposed of accordingly.

7. The parties are directed to complete the pleadings by end of June, 2023, by filing their respective counter affidavits and rejoinders affidavits, so that the matter can be taken up in the month of July, 2023.

**(DR. B.R. SARANGI)**  
**JUDGE**

*Arun*

**(M.S. RAMAN)**  
**JUDGE**