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SLP(C)No. 10404 OF 2001

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ITEM No.47

Court No. 3

SECTION XIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.10404/2001

(From the judgement and order dated 18/05/2001 in OJC 1830/99
of The HIGH COURT OF ORISSA AT CUTTACK)

M/S. INDIAN CHARGE CHROME LTD. & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

With prayer for interim relief & Office Report)
(With Appln(s). for permission to submit additional document(s) and
Raising additional grounds and Appln. for Intervention/
Impleadment)

With

SLP(C)No.11857/2001,T.P.(C) No.390/2001

Date : 14/01/2002 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE G.B. PATTANAİK
HON'BLE MRS. JUSTICE RUMA PAL

For Petitioner (s) Mr. P. Chidambaram, Sr. Adv.
Ms. Anuradha Dutt, Adv.
Ms. Ekta Kapil, Adv.
Ms.B. Vijaya Lakshmi Menon,Adv.

For Respondent (s) Mr. Kapil sibal, Sr. Adv.
Mr. Vinod A. Bobde, Sr. Adv.
Mr. D.A. Dave, Sr. Adv.
Mr. K.K. Lahiri, Adv.
Mr. Ejaz Maqbool,Adv.
Mr. Ujjwal Kr.Jha, Adv.
Mr. Aslam Ahmed, Adv.
Mr. Jana Kalyan Das,Adv.

Mr. A. Subba Rao, Adv.
Ms. Sunita Sharma, Adv.
Mr. D.S. Mahra,Adv.

Mr. G.L. Sanghi, Sr. Adv.
Ms. Sarada, Adv.
Mr. Raj Kumar Mehta, Adv.

Mr. B. K. Mohanty, Sr. Adv.
Ms. Mamta Tripathy, Adv.
Mr. S.K. Das, Adv
Mr. Ajay Choudhary, Adv.

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UPON hearing counsel the Court made the following

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The petitioner, Indian Charge Chrome Limited filed a writ petition in the Orissa High Court, challenging the decision of the State Government, recommending the grant of mining lease in favour of Nava Bharat Ferro Alloys Ltd. The High Court by the impugned Judgment upheld the decision of the State Government against which the special leave petition has been filed by the Indian Charge Chrome Limited. On the basis of the recommendation made by the State Government, the Central Government has accorded approval for grant of mining lease in favour of said Nava Bharat Ferro Alloys Ltd. and that order of approval is the subject matter of challenge in a writ petition filed before the Delhi High Court by the present petitioner. In the fitness of things, the said writ petition should be brought to this court for which an application for transfer has already been filed. There is no opposition to the prayer for transfer of the pending writ petition in Delhi High Court to this Court. We, therefore, direct that the aforesaid Writ Petition No. 2340/2000 be transferred to this Court and be tagged on to the S.L.P.(Civil) No. 10404/2001.

Though an affidavit has been filed on behalf of some of the respondents that a Cabinet decision has been taken withdrawing the earlier recommendation made in favour of Nava Bharat Ferro Alloys ltd., but that decision has not yet been translated into action and, therefore, question of considering the effect of that decision on the present application does not arise at the moment.

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There is also an application for intervention by one of the applicant for grant of mining lease. The said intervention application may be posted along with this special leave petition and the transferred writ petition. These matters be placed for final disposal, after the records are received from the Delhi High Court, after four weeks from today.

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(V.P. Tyagi)
Court Master