

ITEM NO.2

COURT NO.6

SECTION XVII

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

Civil Appeal No(s). 7403/2009

CENTRAL COALFIELDS LTD.

Appellant(s)

VERSUS

M/S.DLF POWER LTD. &amp; ANR.

Respondent(s)

( IA No. 45489/2021 - APPROPRIATE ORDERS/DIRECTIONS)

WITH

C.A. No. 7432/2012 (XVII)

(IA No. 45486/2021 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 14-10-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH

HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For the parties :

Mr. Mukul Rohatgi, Sr. Adv.  
Mr. Pravin Bahadur, Adv.  
Ms. Nandini Gore, adv.  
Ms. Sonia Nigam, Adv.  
Mr. Arjun Sharma, Adv.  
Mr. Karanveer Singh Anand, Adv.  
Mr. Tashwant Gaggar, Adv.  
Ms. Misha Rohatgi, Adv.  
Mr. Vishnu Kant, Adv.  
M/S. Karanjawala & Co., AOR

Mr. Ilesh Shukla, Adv.  
Mr. Chetanya Singh, Adv.  
Ms. Ria Sachthey, Adv.  
Mr. Chetan Sharma, Adv.  
Mr. Manav Jain, Adv.  
Mr. Vishnu Kumar, Adv.  
Mr. Samarth Tyagi, Adv.  
M/s. ARS Associates, AOR

M/s. Karanjawala &amp; Co., AOR

Mr. Amit Sharma, AOR  
Mr. Dipesh Sinha, Adv.  
Ms. Pallavi Barua, Adv.

Mr. Farrukh Rasheed, AOR  
Mr. Abu Bakr Sabbaq, Adv.

UPON hearing the counsel the Court made the following

**O R D E R**

IA No. 45489/2021 and IA No. 45486/2021

Having heard Mr. Mukul Rohatgi, learned Senior Advocate appearing for the applicants and Mr. Shukla, learned Advocate appearing for the contesting respondents and having gone through the photographs of the plant and machinery which are sought to be sold and even considering the power purchase agreement and the relevant clauses relied upon by the learned counsel for the respective parties, we are of the opinion that if the respective applicants are permitted to sell the properties in question, by public auction and the proceeds thereof be deposited with the Registry of this Court, the same shall be in the interest of all the parties. Under the circumstances, both the applications are allowed.

The applicants are permitted to sell the respective plant and machineries in the power plants belonging to the respective applicants by public auction.

It will be open for the contesting respondents- Central Coal Fields Limited to participate in the public auction and/or even bring the prospective buyers and make their offers which may be considered in the public auction.

It is further directed that whatever amount is received, the same shall be deposited with the Registry of this Court within a period one week from the receipt of the proceeds which shall be invested by the Registry in the fixed deposit initially for a period of one year and the aforesaid shall be subject to the ultimate outcome of the main proceedings before this Court.

The Interlocutory Applications stand disposed of.

(Geeta Ahuja)  
Asth. Registrar-Cum-PS

(Nisha Tripathi)  
Assistant Registrar