

ITEM NO.59

COURT NO.8

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

Petition(s) for Special Leave to Appeal (C) No(s). 8972-8973/2014

(Arising out of impugned final judgment and order dated 12/03/2014  
in WP No. 1504/2009 and dated 12/03/2014 in WP No. 1505/2009 passed  
by the High Court Of Jharkhand At Ranchi)

TATA STEEL LTD

Petitioner(s)

VERSUS

UOI &amp; ORS

Respondent(s)

(with appln. (s) for stay and interim relief and office report)

WITH

SLP(C)NO.9016-9017/2014

(With appln. (s) for stay and interim relief and office report)

Date : 01/08/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s)

Mr. Harish Salve, Sr. Adv.  
Mr. Dushyant Dave, Sr. Adv.  
Mr. Punit Dutt Tyagi, Adv.  
Mr. Ankit Parhar, Adv.  
Mr. Anshuman Bahadur, Adv.

For Respondent(s)

Mr. Sunil Kumar, Sr. Adv.  
Mr. Devashish Bharuka, Adv.  
Mr. Ravi Bharuka, Adv.UPON hearing the counsel the Court made the following  
O R D E R

I.A.No.3-4/2014 is filed with the prayer as follows:

"a) Grant ad-interim ex-parte stay of the final judgment/  
order dated 12.03.2014 passed by the Hon'ble High

Signature Not Verified

Court of Jharkhand at Ranchi in W.P.(C)Nos.1504 of

Digitally signed by

Om Parkash Sharma

Date: 2014.08.02

2009 and 1505 of 2009;

12:45:47 IST

Reason:

b) Restrain the Respondents from taking any coercive  
steps to recover the disputed amount during the  
pendency of the present petition; and

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c) pass such other and/ or further orders/directions as  
may be deemed just and proper."

The legality of Rule 64B of the Mineral Concession Rules,

1960 is the subject matter of the SLP.

The dispute is about the liability of the petitioner under the said Rules for the years 2000-2008 which runs to Rs.815.77 crores of which the petitioner admitted the liability of Rs.611 crores and already paid. Out of the remaining Rs.204.77 crores, the petitioner has paid Rs.104 crores under protest.

Apart from that by letter dated 25th July 2014, the petitioner gave an undertaking to the Government of Jharkhand. The relevant portion of the undertaking reads as follows:

"5. That payments made under the following schedules shall be under protest, subject to the final outcome of and without prejudice to the contention of Tata Steel in the pending litigation. Further, subject to any order that may be passed by the Hon'ble Supreme Court in the interim, the schedule for payment of the principal demand amounts proposed on behalf of Tata Steel is as follows:

- a. Rs. 30 Crores (Rupees Thirty Crores) to be paid by 31st July, 2014.
- b. Balance in three equal instalments to be paid on 31st August, 2014, 30th September, 2014 and 31st October, 2014."

That the petitioner would pay the balance amount in three equal instalments, that is, by 31st August, 2014, 30th September, 2014 and 31st October, 2014.

I.A.No.3-4/2014 is disposed of recording the above mentioned undertaking.

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The payment of the disputed amount would be subject to the final decision of this case.

Respondent is permitted to file Counter affidavit during the course of the day.

[O.P. SHARMA]  
COURT MASTER

[INDU BALA KAPUR]  
COURT MASTER