

ITEM NO.40 Court 6 (Video Conferencing) SECTION X

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

Writ Petition(s)(Civil) No(s). 1057/2020

M/S. FERROUS TOWNSHIP PVT. LTD. & ANR. Petitioner(s)

VERSUS

THE STATE OF HARYANA & ORS. Respondent(s)
([ONLY IA-141945/21 IN WC-1097/2020 IS LISTED]
IA No. 92089/2020 - STAY APPLICATION)

WITH

W.P.(C) No. 1097/2020 (X)

IA No. 141945/2021 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 03-12-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Preetesh Kapoor, Sr.Adv.
 M/S. Mitter & Mitter Co., AOR

Ms. Rooh-e-hina Dua, AOR

For Respondent(s) Mr. Krishnan Venugopal, Sr. Adv.
 Mr. Alok Sangwan, Sr. AAG
 Mr. Kaushik Poddar, AOR
 Mr. Vaibhav Gaggar, Adv.
 Ms. Sumedha Dang, Adv.
 Mr. Vidur Mohan, Adv.
 Mr. Ketan Sarraf, Adv.
 Ms. Tishya Saran, Adv.
 Ms. Shefali Munde, Adv.
 Mr. Sumit Kumar Sharma, Adv.
 Dr. Monika Gusain, AOR

UPON hearing the counsel the Court made the following
O R D E R

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 141945/2021

Learned counsel for the petitioners submits that
ex facie the decision taken by the respondents in

pursuance to the orders of this Court dated 04.10.2021 is not sustainable as the said decision [dated 18.10.2021] is predicated on a reasoning that the adjustment cannot be considered as the migration licence has been made prior to the issuance of the Notification dated 06.09.2021. He seeks to refer to the objective to the legislative intent to contend that the objective was to provide relief.

In our view, even otherwise, in view of the pendency of the present proceedings *prima facie* the benefit of the legislation may be available to the petitioner(s) subject to whatever may be the submissions of the respondents.

Issue notice.

Learned counsel for the respondent accepts notice.

Reply be filed within two weeks.

Rejoinder be filed within two weeks thereafter.

List along with the Writ Petition.

A copy of the order be given *dasti* to learned counsel for the appellants to enable him to place the same before the NCLT as the matter is listed there on 06.12.2021.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)