

\$~4.

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 12245/2016**

JAI BALAJI INDUSTRIES LIMITED

..... Petitioner

Through: Mr. Ramji Srinivasan, Senior Advocate along with Mr. Devashish Bharuka & Mr. Vivek Paul Oriel, Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC and Ms. Nisha Sharma, Advocate along with Mr. Vivek Bharadwaj, Nominated Authority, for respondents No.1 to 3/ UOI.
Mr. Parag P. Tripathi, Senior Advocate along with Mr. Sanjeev Kapoor, Mr. Rajat Jariwal, Mr. Sahil Narang & Mr. Shikhar Khare, Advocates for respondent No.4.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
30.12.2016

%

C.M. No.48308/2016

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 12245/2016 and C.M. No.48307/2016

Issue notice. Notice is accepted by Mr. Ahluwalia on behalf of respondents No.1 to 3/ UOI and by Mr. Sanjeev Kapoor on behalf of respondent No.4.

Mr. Srinivasan has tendered in Court an additional affidavit, which is taken on record.

During the course of arguments, it has been pointed out that the petitioner has alternate efficacious remedy of approaching the Tribunal constituted under the Coal Bearing Areas (Acquisition & Development) Act, 1957 under Section 27 of the Coal Mines (Special Provisions) Act, 2015. On instructions from the Nominated Authority, learned counsel representing the UOI has stated that this Tribunal is functioning.

In view of the aforesaid, learned senior counsel for the petitioner, on instructions, wishes to withdraw the present writ petition and approach the said Tribunal to ventilate the petitioner's grievances.

Dismissed as withdrawn.

It goes without saying that the decision taken by the Government on 20.12.2016, which is impugned before this Court, if assailed before the said Tribunal, shall be examined on its own merits by the Tribunal.

Dasti.

VIPIN SANGHI, J

DECEMBER 30, 2016

B.S. Rohella