

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.262 OF 2020
(ARISING OUT OF SLP(C) NO.9923 OF 2019)

NATIONAL ALUMINIUM COMPANY LTD

APPELLANT(S)

VERSUS

M/S VEDANTA LTD & ANR.

RESPONDENT(S)

O R D E R

Leave granted.

We have heard learned Senior Counsel for the parties at length and perused the record.

At one point of hearing the arguments, both the learned Senior Counsel appearing for the parties prayed for adjournment in the matter because they submitted that it might be a possibility of reasonable and amicable settlement of dispute involved between the parties.

Today, the respondent - M/s Vedanta Limited has agreed to certain terms which are apparent from the draft proposed minutes submitted in the Court by it, and which make it possible to dispose of the matter finally.

Accordingly, we consider it appropriate to pass the following orders :

The respondent(s) shall apply to the appellant viz., National Aluminium Company Limited (NALCO), through its any foreign subsidiary company. The appellant - NALCO shall register the respondent(s) if the application is in accordance with the requirements.

The appellant - NALCO further accepts that it shall register Vedanta Resources Limited , a company incorporated in

the United Kingdom, or any other foreign subsidiary of the respondent - M/s Vedanta Limited which is eligible to participate in its tenders for calcined alumina. However, the delivery of the consignment may be taken at Vishakhapatnam Port on FOB basis, though the same will be for use in M/s Vedanta Limited SEZ at Jharsuguda, Odisha.

As desired by NALCO in its affidavit dated 10.01.2020, the respondent - M/s Vedanta Limited undertakes to provide to NALCO the bill of export and certification of goods having been admitted into the SEZ by the concerned officer of the SEZ as per Rule 30 of the SEZ Rules.

In these circumstances, we consider it appropriate to set aside the impugned judgment and order passed by the High Court of Orissa and dispose of the writ petition being W.P.(C) No.3634 of 2019 as withdrawn.

Order accordingly.

The instant appeal is disposed of in the above terms.

.....CJI
[S.A. BOBDE]

.....J
[B.R. GAVAI]

.....J
[SURYA KANT]

NEW DELHI;
JANUARY 14, 2020.

ITEM NO.1

COURT NO.1

SECTION XI-A

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).9923/2019

(Arising out of impugned final judgment and order dated 26-03-2019 in WPC No. 3634/2019 passed by the High Court Of Orissa At Cuttack)

NATIONAL ALUMINIUM COMPANY LTD

Petitioner(s)

VERSUS

M/S VEDANTA LTD & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and WITH APPLN.(S) FOR IA No. 90570/2019 - CLARIFICATION/DIRECTION)

Date : 14-01-2020 The matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s)

Mr. Ranjit Kumar, Sr. Adv.
Mr. K.V. Vishwanathan, Sr. Adv.
Ms. Rajdipa Behura, Adv.
Ms. V.S. Lakshmi, Adv.
Mr. Venkataraman, Adv.
Mr./Ms. Pilomin, Adv.
Mr. A. Venayagam Balan, AOR
Ms. Hansiha Sahu, Adv.
Ms. Neha Lingwal, Adv.

For Respondent(s)

Mr. Mukul Rohtagi, Sr. Adv.
Mr. C.U. Singh, Sr. Adv.
Mr. Ninad Laud, Adv.
Mr. Ivo D'Costa, Adv.
Mr. Sanjeeb Panigrahi, AOR
Ms. Sujata Muni, Adv.
Mr. Udyan Verma, Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed order.

Pending interlocutory applications, if any, stand disposed of.

(SANJAY KUMAR-II)
COURT MASTER (SH)

(INDU KUMARI POKHRIYAL)
ASSISTANT REGISTRAR

(Signed Order is placed on the file)