

ITEM NO.16

COURT NO.14

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Miscellaneous Application No.18/2025 in W.P.(C) No.114/2014

[Arising out of impugned final judgment and order dated 02-08-2017 in W.P.(C) No.114/2014 passed by the Supreme Court of India]

COMMON CAUSE

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

[1) I.A. NO.42571/2023 (APPLICATION FOR DIRECTIONS ON BEHALF OF PETITIONER); 2) I.A. NO.123732/2023 IN I.A. NO.42571/2023 (APPLICATION FOR RECTIFICATION ON BEHALF OF STATE OF ODISHA) "ONLY" LISTED NAMES OF THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST MR. HARISH N. SALVE, SR. ADVOCATE (A.C.), MS. APARAJITA SINGH, SR. ADVOCATE (A.C.), MR. A.D.N. RAO, SR. ADVOCATE (A.C.), MR. SIDDHARTHA CHOWDHURY, ADVOCATE (A.C.), MR. PRASHANT BHUSHAN, MR. GURMEET SINGH MAKKER AND MS. KIRTI R. MISHRA, ADVOCATES]

Date : 11-02-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) By Courts Motion, AOR

Mr. Prashant Bhushan, AOR
Ms. Neha Rathi, Adv.
Mr. Pranav Sachdeva, Adv.

For Respondent(s) Mr. Gaurav Kejriwal, AOR

Mr. Sunil Dogra, Adv.
Mr. Vivek Vishnoi, Adv.
Mr. Abhishek Sharma, AOR

M/S. Khaitan & Co., AOR

Mr. Ramendra Mohan Patnaik, AOR

Mr. Himinder Lal, AOR

Mr. Mukesh Kumar Maroria, AOR
M/S. Karanjawala & Co., AOR
Mr. Mukul Kumar, AOR
Mr. Balaji Srinivasan, AOR
Mr. Naveen Kumar, AOR
Mr. Raj Kumar Mehta, AOR
Mr. Shibashish Misra, AOR
Mr. B. Krishna Prasad, AOR
Mr. Rameshwar Prasad Goyal, AOR
Mr. Sunil Kumar Jain, AOR
Ms. Movita, AOR
Mr. E. C. Agrawala, AOR
M/S. Aura & Co., AOR
Mr. Tushar Mehta, Solicitor General
Mrs. Kirti Renu Mishra, AOR
Mr. Lakshmi Raman Singh, AOR
Mr. Tejaswi Kumar Pradhan, AOR
Mr. Manoranjan Paikaray, Adv.
Mr. Devendra Singh Kushwaha, Adv.
Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Saudamini Sharma, Adv.
Mr. Chinmyee Chandra, Adv.
Mr. Tarkeshwar Nath, Adv.
Mr. Rajat Nair, Adv.
Ms. Suhasini Sen, Adv.
Mr. Gaurav Khanna, AOR
Mr. Dhananjaya Mishra, AOR
Mr. Shovan Mishra, AOR
Ms. Bipasa Tripathy, Adv.
Mr. Lakshmi Raman Singh, AOR

Mr. Preshit Vilas Surshe, AOR

Mr. Naveen Kumar, AOR

Mr. Hitendra Nath Rath, AOR

M/S. Aura & Co., AOR

Mr. Sandeep Devashish Das, AOR

M/S. Khaitan & Co., AOR

Mr. Vikramjeet Banerjee, A.S.G.

Mrs. Aishwarya Bhati, A.S.G.

Mr. Apoorv Kurup, Adv.

Mr. K. V. Sreemuthin, Adv.

Mr. Rajesh Singh Chauhan, Adv.

Ms. Priyadarshini Priya, Adv.

Mr. Atulesh Kumar, Adv.

Mr. Rajeeva Ranjan Rajesh, Adv.

Mr. Rajat Nair, Adv.

Ms. Suhasini Sen, Adv.

Mrs. Chitrangda Rastravara, Adv.

Mr. Satya Jha, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Mr. N. Visakamurthy (AOR), Adv.

Mr. A.D.N. Rao, Sr. Adv.

Mr. Siddhartha Chowdhury, AOR

Mr. Ronak Karanpuria, AOR

Mr. Prashant Singh, AOR

Mrs. Prerna Dhall, Adv.

Ms. Karishma Rajput, Adv.

Ms. Akansha Singh, Adv.

Mr. Nagendra Kasana, AOR

Mr. Shrey Kapoor, AOR

For Applicant(s)

Mr. Ashok Panigrahi, Sr. Adv.

Mr. Gaurav Prakash Pathak, Adv.

Mr. Nishant Kumar, Adv.

Mr. Ashok Panigrahi, Sr. Adv.

Mr. R. Chandrachud, Adv.

Ms. Geetanjali Das Krishnan, Adv.

Mr. Surajit Bhadhuri, Adv.

Mr. D. Venkata Krishna, Adv.

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

1. The affidavit filed by the Additional Secretary, Department of Steel & Mines, Government of Odisha dated 22nd January, 2025, in purported compliance with our earlier order dated 28th November, 2024, avers in paragraph 3 that as on 20th January, 2025, the total outstanding dues is Rs.2721.65 crore and the interest being still higher, is Rs.3506.68 crore.
2. Responding to our query, learned counsel appearing for the State submits that various proceedings in litigation are pending before the relevant forum as well as proceedings under the Odisha Public Demands Recovery Act, 1962 before the relevant certificate officer. Reference in this connection is made to the earlier affidavit dated 07th February, 2024 filed by the Additional Secretary, more particularly, to paragraph 8 reading as follows: -

1	Compensation recovered from Lessees	Three (3)
2	Compensation being recovered pursuant to orders of the Hon'ble Supreme Court by way of sale of the minerals allowed therein	Four (4)
3	Recovery of compensation held up under litigation	Five (5)
4	Recovery of compensation under process through attachment of property as per the provisions of OPDR Act, 1962	Fourteen (14)

3. We require the said Additional Secretary to file a further affidavit indicating particulars of the proceedings where recovery of compensation has been held up either in litigation pending before any Court or in course of proceedings that have been initiated under the OPDR Act, the particulars of the fora/authority before whom the said proceedings are pending as well as the respective stages of such proceedings. The affidavit shall also indicate what

step is proposed to be undertaken to expedite recovery of such huge amount on account of dues and interest. Let such affidavit be filed by a fortnight from date, with copy to Mr. Rao, the learned amicus and Mr. Bhusan, learned counsel for the applicant in this Miscellaneous Application.

4. In view of the latest affidavit dated 22nd January, 2025 filed by the State of Odisha, the application being I.A.No.123732 of 2023 filed by the State does not survive and the same stands disposed of.

5. Issue notice on I.A Nos.17276 and 17274 of 2025.

6. State may file its response by 28th February, 2025.

7. Re-list the Miscellaneous Application and all other pending applications listed today along with I.A Nos.17276 and 17274 of 2025 and I.A. No.36466 of 2025 (M.A. D. No.7323 of 2025) on 05th March, 2025 at 02:00 p.m.

(SAPNA BISHT)
COURT MASTER (SH)

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)