

**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 (Civil) No(s).2216/2008

**(From the judgment and order dated 10/01/2007 in OJC No. 6539/1997
of The HIGH COURT OF ORISSA AT CUTTACK)**

STEEL AUTHORITY OF INDIA LTD.

Petitioner(s)

VERSUS

STATE OF ORISSA & ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP and prayer for interim relief and office report)

WITH

SLP(C) NO. 2571 of 2008 – With appln. for c/delay in filing SLP & O/R

Date: 19/01/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Mr. Sunil Kumar Jain,Adv.

Mr. Ajay Bhatia, Adv.

Mr. Aneesh Mittal, Adv.

For Respondent(s) Mrs. Kirti Renu Mishra,Adv.

Mr. Shibashish Misra, Adv.

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

Delay condoned.

Leave granted.

The appeals are allowed with no order as to costs.

**(S. Thapar)
PS to Registrar**

**(Madhu Saxena)
Court Master**

The signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.345 OF 2009
(Arising out of SLP(C) No.2216 of 2008)

STEEL AUTHORITY OF INDIA LTD.

...APPELLANT (S)

VERSUS

STATE OF ORISSA & ORS.

...RESPONDENT(S)

WITH

CIVIL APPEAL NO.346 OF 2009 @ SLP(C) NO. 2571 OF 2008

ORDER

Delay condoned.

Leave granted.

In terms of our Order dated 18th January, 2008, and in terms of the judgment of the Division Bench of this Court in the case of National Mineral Development Corporation Ltd. Vs. State of M.P. & Another reported in 2004 (6) SCC 281, the matters stand remitted to the High Court to decide on the question of computation of royalty which has not been considered in the impugned judgment. The impugned judgment is accordingly set aside and the matters are remitted to the High Court to be decided in accordance with law.

The appeals are accordingly allowed with no order as to costs.

.....J.
[S.H. KAPADIA]

**New Delhi,
January 19, 2009**

.....J
[AFTAB ALAM]