

Writ Petition No.1 of 2014

28.04.2016

Shri Abhijeet A.Awasthi, learned counsel for the petitioner.

Shri Amit Seth, learned Govt. Advocate for the respondents/State.

Shri Akshay Dharmadhikari, learned counsel for the respondent No.3.

I.A.No.4417/2016 – application for dismissal of writ petition in view of the judgment dated 11.03.2016.

The counsel for the respondent No.3 is partly right in pointing out that the relief claimed by the petitioner in terms of prayer clause 7.(ii) cannot be taken forward in the light of the decision of the Division Bench of this Court dated 11.03.2016. In that, if the direction as sought is granted that will inevitably result in treating the application preferred by the applicant for grant of prospecting license as valid and subsisting inspite of the mandate of the amended Act of 2015 to treat all pending applications as invalid w.e.f. 12.01.2015.

Realising this position, counsel for the petitioner submits that the petitioner will abandoned prayer clause 7.(ii) and only pursue prayer clause 7.(i) and if the petition

succeeds in that behalf, the petitioner may not get any substantive relief, but, the allocation of licence/lease will have to proceed for auction instead of application regime.

The argument of the counsel for the respondent No.3 that the order which is impugned in terms of prayer clause 7. (i) is already acted upon by the said respondents and Authorities, can certainly be examined at the appropriate stage.

The fact that this petition is pending will be no impediment for the respondent No.3 to pursue remedy as per law, as no interim relief has been granted in that behalf.

Accordingly, application is **disposed of**.

Main matter to proceed for final hearing under appropriate category, as per its turn.

(A. M. Khanwilkar)
Chief Justice

(J.P.Gupta)
Judge