



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

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Judgment Reserved on: 23.02.2026

Judgment Delivered on: 10.04.2026

+ **LPA 83/2026, CM Nos. 12280/2026, 12281/2026 & 12282/2026**

M/S VEDANTA LIMITED

.....Appellant

Versus

**THE NOMINATED AUTHORITY MINISTRY OF COAL
GOVERNMENT OF INDIA & ORS.**

.....Respondents

AND

+ **LPA 84/2026, CM Nos.12316/2026, 12317/2026 & 12318/2026**

**THE NOMINATED AUTHORITY MINISTRY OF COAL
GOVERNMENT OF INDIA & ANR.**

.....Appellants

Versus

M/S VEDANTA LIMITED

.....Respondent

Advocates who appeared in these cases

Mr. Nidhesh Gupta, Senior Advocate with Mr. Naveen Kumar, Mr. Ujjawal Kumar Rai, Mr. Aditya Goyal, Mr. Sudhanshu Pathak, Mr. Bikram Dwivedi, Ms. Isha Baloni, Mr. Rishabh Chaudhary, Mr. Lakshay Singh & Ms. Pragya Prachi Pandey, Advocates for Vedanta Limited.

Mr. Ankur Mittal, CGSC with Mr. Keshav Pawar, GP; Mr. Aviraj Pandey and Ms. Rabaica Jaiswal, Advocates for UoI.



CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJAS KARIA

JUDGMENT

TEJAS KARIA, J

1. These Appeals have been filed challenging the orders dated 07.02.2026 and 09.02.2026 (“**Impugned Orders**”) passed in W.P.(C) No.1664/2026 (“**Writ Petition**”) tilted as “*M/s Vedanta Ltd. v. The Nominated Authority, Ministry of Coal, Government of India & Ors.*” whereby the Writ Petition challenging the orders dated 22.12.2025 and 02.01.2026 passed by the Special Tribunal, Talcher, Odisha in Special Tribunal Case No.31/2025 was disposed of by holding that the Appellant shall agitate its grievance before the jurisdictional High Court and granted *status quo* qua any precipitative action till the stay application is adjudicated by the Tribunal.
2. The Impugned Orders have been challenged by Vedanta Ltd. (“**Vedanta**”) in LPA No.83/2026 and by the Nominated Authority, Ministry of Coal, Government of India (“**Nominated Authority**”) in LPA No.84/2026.

FACTUAL MATRIX

3. The Nominated Authority issued a tender on 18.06.2020 for auction of coal mines for sale of coal pertaining to Radhikapur (West) Coal Mine under the Coal Mines (Special Provisions) Act, 2025 (“**Act**”).



4. Vedanta was successful bidder and a Coal Mine Development and Production Agreement (“**CMDPA**”) was executed between the President of India and Vedanta on 11.01.2021. Accordingly, the Vesting Order was issued by the Nominated Authority on 03.03.2021.

5. The CMDPA prescribed efficiency parameters and milestones to be completed within the timelines stipulated against each of the milestones. The Nominated Authority issued first Show Cause Notice (“**SCN-I**”) to Vedanta for non-compliance of Milestone 2 (Mining Plan) on 08.02.2022. Vedanta submitted its reply to SCN-I on 21.02.2022 citing reasons including delay due to Covid-19 pandemic and issues relating to mine boundary coordinates. On 18.01.2023, the Nominated Authority dropped SCN-I based on the recommendation of the Scrutiny Committee.

6. On 06.06.2024, second Show Cause Notice (“**SCN-II**”) was issued by the Nominated Authority regarding delay in achievement of Milestone-3 and non-operationalization of mine. Vedanta submitted reply to SCN-II on 20.06.2024 stating issues with FC, EC, boundary coordinates, DGPS survey and sought further time. The Scrutiny Committee examined the reply of Vedanta to SCN-II and recorded that the issues raised by Vedanta were already within its knowledge and Vedanta never applied for revision of Zero Date. Vedanta did not protest the Scrutiny Committee’s findings and furnished the voluntary undertaking to operationalize the mine by 03.06.2025.

7. Despite the expiry of the deadline agreed by Vedanta for operationalization of the mine on 03.06.2025, Vedanta did not meet the deadline. Accordingly, the Nominated Authority issued Appropriation Order dated 21.07.2025 appropriating ₹29.23 crores from the Performance Bank



Guarantee (“**PBG**”). On 22.07.2025, Vedanta submitted a protest letter objecting to the appropriation order and filed W.P.(C) No.10686/2025 before this Court challenging the appropriation order.

8. *Vide* Judgment dated 02.12.2025, the said Writ Petition was disposed of with liberty to Vedanta to avail alternative efficacious remedy in accordance with Section 27 of the Act before the concerned Tribunal situated at Talcher, Odisha within a period of 10 days from the date of said Judgment and in the meanwhile, it was directed that the *status quo* with respect to the PBG shall continue to operate.

9. Vedanta filed LPA No.759/2025 against the Judgment dated 02.12.2025 and *vide* order dated 10.12.2025, the Coordinate Bench of this Court disposed of the said appeal with a direction that if Vedanta files any application for stay while raising a dispute under Section 27(3) of the Act, the interim protection granted by the learned Single Judge for the period of 10 days from the date of Judgment dated 02.12.2025 shall continue to operate till disposal of such stay application provided Vedanta raises the dispute under Section 27(3) of the Act within 10 days from Judgment dated 02.12.2025.

10. Accordingly, Vedanta filed S.T. Case No.28/2025 before the Special Tribunal at Talcher under Section 27 of the Act challenging the appropriation orders dated 21.07.2025 on 10.12.2025. *Vide* order dated 10.12.2025, the Tribunal issued summons to the Nominated Authority and directed that the *status quo* in respect of the Performance Bank Guarantee granted by this Court shall continue till 20.12.2025.

11. On 15.12.2025, the Nominated Authority issued a Show Cause Notice proposing termination of CMDPA and consequential action under Clause



26.3.1(t) of CMDPA (“SCN-III”). Vedanta filed S.T. Case No.31/2025 before the Tribunal on 22.12.2025 challenging the SCN-III. *Vide* order dated 22.12.2025, the Tribunal admitted the case and issued the summons to the respondents in the said proceedings and fixed the matter on 13.01.2026. As the Tribunal did not grant *ex parte* interim relief, Vedanta filed W.P.(C) No.19814/2025 before this Court challenging SCN-III. *Vide* order dated 26.12.2025, the Vacation Bench of this Court issued notice to the Nominated Authority and directed the Nominated Authority to not take any action pursuant to SCN-III till the next date of hearing in the Petition, which was listed on 07.01.2026 before the Roster Bench. On 07.01.2026, the matter could not be taken up and adjourned to 25.02.2026.

12. In the meanwhile, on 02.01.2026, the Tribunal adjourned S.T. Case No.31/2025 along with the stay application to 13.01.2026.

13. The Nominated Authority filed an application for vacation of the injunction granted *vide* order dated 26.12.2025 in W.P.(C) No.19814/2025 on 20.01.2026, on which date this Bench granted ten days to Vedanta to file Rejoinder Affidavit as also the objection to the application for vacation of the stay and preponed the hearing of the matter to 05.02.2026.

14. During the pendency of W.P.(C) No.19814/2025, Vedanta filed the Writ Petition challenging the orders dated 22.12.2025 and 02.01.2026 passed in S.T. Case No.31/2025 before the single judge of this Court on 01.02.2026.

15. When W.P.(C) No.19814/2025 along with the application for vacating the interim injunction filed by the Nominated Authority was listed on 05.02.2026 before this Bench, the learned Senior Counsel for Vedanta informed about filing of the Writ Petition and sought time to seek



instructions for withdrawing W.P.(C) No.19814/2025. Accordingly, on 09.02.2025, W.P.(C) No.19814/2025 was withdrawn in view of the proceedings in the Writ Petition.

16. On 07.02.2016 and 09.02.2026, the learned Single Judge has passed the Impugned Orders and being aggrieved by the same, the present Appeals have been preferred by Vedanta and the Nominated Authority, respectively.

SUBMISSIONS ON BEHALF OF THE VEDANTA

17. Vedanta has challenged the Impugned Orders to the limited extent that the same held that this Court has no territorial jurisdiction to entertain the Writ Petition against the Nominated Authority since the mine as well as the Tribunal is situated in Odisha.

18. Learned Senior Counsel for Vedanta submitted that this Court has the territorial jurisdiction to entertain and decide the Writ Petition against the orders passed by the Nominated Authority irrespective of the location of the mine and the seat of the Tribunal under the Act. This Court has exercised jurisdiction in several writ petitions, in which orders passed by the Tribunal under Section 27 of the Act were challenged although the mines as well as the Tribunal were not situated within the territorial jurisdiction of this Court.

19. It was further submitted that even the orders passed by the Tribunal in the appeal against the original order by the Nominated Authority can be challenged before this Court as the Nominated Authority, which passed the original order, is within the jurisdiction of this Court. In support of this submission reliance was placed on *Chinteshwar Steel Pvt. Ltd. v. Union of India*, 2013 SCC OnLine Del 4744, wherein this Court has held that when original authority is situated in one High Court and the Appellate Authority is situated in the jurisdiction of another High Court, writ petition is



maintainable in both the High Courts as a part of cause of action can be said to have arisen in both the courts. It was further held that the petitioner would have the liberty to choose where he would like to file his writ petition, however, the High Court before whom the said writ petition is filed would have the discretion to refuse to entertain it on the ground of forum conveniens.

20. Learned Senior Counsel for Vedanta submitted that the Impugned Orders are contrary to the law laid down in *Chinteshwar Steel Pvt. Ltd. v. Union of India* (*supra*) as Vedanta will be precluded from filing any writ petition before this Court despite the fact that entire cause of action including conduct of auction, acceptance of bid, allocation of coal block, execution of CMDPA, issuance of Vesting Order, issuance of Show Cause Notice, submission of reply to the Show Cause Notice, proceedings held by the Scrutiny Committee, decision to appropriate PBG and to initiate termination of CMDPA have taken in New Delhi and the Nominated Authority is having its permanent office solely within the territorial jurisdiction of this Court. Accordingly, this Court will have jurisdiction to entertain the Writ Petition, and the Impugned Orders have wrongly decided to the contrary.

21. It was further submitted that the learned Single Judge failed to appreciate that there was neither any pleading nor any material that was placed by the Nominated Authority on record before the learned Single Judge to show as to how this Court has no jurisdiction or it is not a convenient forum for the Nominated Authority.

22. This Court vide order dated 10.12.2025 passed in LPA No.759/2025 had granted interim relief against the appropriation of the Performance Bank



Guarantee till the matter is decided by the Tribunal, which is still pending. The Nominated Authority did not take the objection of lack of territorial jurisdiction of this Court when the said order was passed. Accordingly, the Writ Petition challenging the orders dated 22.12.2025 and 02.01.2026 passed by the Tribunal in S.T. Case No.31/2025 challenging the Show Cause Notice dated 15.12.2025 is maintainable before this Court.

SUBMISSIONS ON BEHALF OF THE NOMINATED AUTHORITY

23. The Nominated Authority has challenged the Impugned Orders on the limited aspect of grant of interim protection to Vedanta despite holding that this Court lacks territorial jurisdiction to entertain the Writ Petition.

24. The learned Counsel for the Nominated Authority submitted that despite expressly agreeing with the contention of the Nominated Authority that this Court did not have territorial jurisdiction to entertain a challenge to orders passed by the Tribunal at Talcher, Odisha, the Impugned Orders granted *status quo* qua any precipitative action against Vedanta till adjudication of the stay application pending before the Tribunal.

25. It was further submitted that the learned Single Judge erred in granting interim protection to Vedanta by referring to previous interim protection granted while recording that any challenge to the orders passed by the Tribunal situated at Talcher, Odisha would lie before the jurisdictional High Court. Accordingly, the Impugned Orders suffers from patent jurisdictional contradiction as they declined to exercise jurisdiction on one hand, while exercising it to restrain statutory and contractual action against Vedanta, on the other.

26. It was submitted on behalf of the Nominated Authority that Vedanta has repeatedly invoked the writ jurisdiction of this Court instead of pursuing



alternative remedies within the statutory framework of the Act. Vedanta has, deliberately and with calculated attempt, invoked the jurisdiction of this Court notwithstanding express direction by this Court to pursue remedies before the jurisdictional forum.

27. It was further submitted that the Impugned Orders are without jurisdiction as the same are passed without considering the merits of the matter. The learned Single Judge has granted substantive interim protection without recording any satisfaction of the settled trinity test of *prima facie* case, balance of convenience or irreparable injury.

28. It was submitted that the learned Single Judge after holding that he had no territorial jurisdiction to entertain the Writ Petition, nonetheless granted protection to Vedanta thereby allowing it to be a beneficiary of repeated forum shopping and serial invocation of writ jurisdiction before this Court, which itself has held that it lacks the jurisdiction to entertain the Writ Petition.

29. The learned Counsel for the Nominated Authority submitted that the interim protection granted *vide* the Impugned Orders was neither warranted in equity nor sanctioned by law. As a result of passing of the Impugned Orders, the Show Cause Notice dated 15.12.2025 has been stayed, rendering the Nominated Authority unable to proceed further until the adjudication of the stay application by the Tribunal. The Impugned Orders are contrary to the well settled law laid down by catena of judgments of the Supreme Court as well as this Court that a Show Cause Notice ought not to be interdicted unless it is issued without jurisdiction or constitutes a gross abuse of the process. As no such case was pleaded, demonstrated or *prima facie* recorded in the Impugned Orders, the same are liable to be set aside to the



extent that they grant the interim protection to Vedanta while holding that this Court has jurisdiction to entertain the Writ Petition.

30. The learned Counsel for the Nominated Authority relied upon *Okinawa Autotech International Pvt. Ltd. & Anr. v. Union of India*, 2024 SCC OnLine Del 7180, which held that the Show Cause Notice does not amount to a final decision and should the final decision be adverse, the petitioner shall have right to challenge such a decision through an appropriate legal remedy as provided by law.

31. It was submitted that the judicial interference at the stage of Show Cause Notice is tantamount to entertaining the writ petition at a premature stage since no adverse order has yet been passed and no right of noticee stand affected as the writ remedy arises only upon passing of a final order having civil consequences and not at a stage when the statutory authority is yet to apply its mind and take a decision.

32. It was further submitted by the learned Counsel for the Nominated Authority that the Impugned Orders do not evaluate or hold that Vedanta has any enforceable legal right to restrain any action by the Nominated Authority at the Show Cause Notice stage and granting a restraint order in absence of this basic finding was arbitrary and contrary to settled principles governing grant of interim relief.

33. It was also submitted that permitting Vedanta to enjoy interim protection by indulging in forum shopping to serial petitions in different forms undermines judicial discipline, defeats statutory remedies and erodes finality of prior directions.

34. The learned Counsel for the Nominated Authority submitted that the orders impugned in the Writ Petition were passed by the Tribunal at Talcher,



Odisha and, therefore, only the jurisdictional High Court of Odisha could have exercised judicial review as correctly held by the learned Single Judge. However, the learned Single Judge could not have granted interim relief while indirectly exercising the jurisdiction which was found to be not existing. The statutory framework under the Act envisages adjudication by the Tribunal at Talcher and supervisory jurisdiction by the jurisdictional High Court within whose territory the Tribunal functions and cause of action arises. In *L. Chandra Kumar v. Union of India*, (1997) 3 SCC 261, it has been held that the Tribunals will continue to act like courts of first instance in respect of the areas of law for which they have been constituted and all decisions of these Tribunals will be subject to scrutiny before a Division Bench of the High Court within whose jurisdiction the Tribunal concerned falls.

35. It was further submitted that the Impugned Orders bypass the jurisdictional High Court and permit Vedanta to continue to enjoy the interim relief granted by a non-jurisdictional High Court merely because previously interim protection was granted there, thereby defeating territorial discipline and comity between High Courts.

36. It was submitted on behalf of the Nominated Authority that the learned Single Judge failed to consider that parallel proceedings on the same subject matter cannot be permitted especially when Vedanta has already invoked the Tribunal's jurisdiction and simultaneously invoked writ jurisdiction.

ANALYSIS AND FINDINGS

37. The present Appeals raise two important issues for consideration by this Court. *Firstly*, whether this Court has the territorial jurisdiction to



entertain and decide the Writ Petition challenging the orders passed by the Tribunal, which is not located within the jurisdiction of this Court, in the proceedings challenging the Show Cause Notice issued by the Nominated Authority situated within the jurisdiction of this Court and *secondly*, whether this Court has power to grant interim measures while refusing to entertain the Writ Petition due to lack of territorial jurisdiction.

Re: Territorial Jurisdiction:

38. As regards the first issue, the learned Single Judge in the Impugned Orders has held that in the facts of the present case, the relief sought by the Appellant before this Court cannot be granted since the Tribunal, which passed the orders that were challenged by way of the Writ Petition, is not located within the territorial jurisdiction of this Court. The Appellant has invoked the jurisdiction of this Court on the basis that SCN-II was issued by the Nominated Authority within the jurisdiction of this Court.

39. To confer the jurisdiction on this Court for exercising the writ jurisdiction, it is necessary that either the authority or appellate authority is situated within the territorial jurisdiction of this Court. The Appellant sought to argue that since the Nominated Authority is located within the jurisdiction of this Court, which issued SCN-III, this Court ought to have exercised the jurisdiction as held in *Chinteshwar Steel Pvt. Ltd. (supra)*, wherein it is held that when the original authority and appellate authority are situated in two different High Courts, both High Courts shall have jurisdiction to entertain the writ petition.

40. It is settled law that when original authority is situated within the jurisdiction of one High Court and the Appellate Authority situated in the jurisdiction of another High Court, writ petition is maintainable in both the



High Courts as a part of cause of action can be said to have arisen within jurisdiction of both the High Courts and the petitioner would be at liberty to choose where he would like to file his writ petition, however, the High Court before whom the said writ petition is filed would have the discretion to refuse to entertain it on the ground of *forum conveniens*.

41. In *Sterling Agro Industries Ltd v. Union of India and Others*, 2011 SCC OnLine Del 3162, the Full Bench of this Court has held that even if a minuscule part of cause of action arises within the jurisdiction of a High Court, a writ would be maintainable before that High Court, however that part of cause of action must constitute a material, essential, or integral part of the cause of action as laid down in *Alchemist Ltd. v. State Bank of Sikkim*, (2007) 11 SCC 335. It was further held that the location of the appellate or revisional authority alone would not constitute forum convenience as it will vary from case to case and depend upon the lis in question. Therefore, it was held that while exercising the writ jurisdiction, the doctrine of forum convenience and the nature of cause of action are required to be scrutinized by the High Court depending on the factual matrix of each case.

42. In the facts of the present case, the Nominated Authority has not passed any order and has only issued SCN-III proposing termination of CMDPA and consequential action under Clause 26.3.1(t) of CMDPA. SCN-III has been challenged in S.T. Case No.31/2025 before the Tribunal. As the Tribunal did not grant interim relief vide order dated 22.12.2025, Vedanta filed W.P.(C) No.19814/2025 before this Court challenging SCN-III, which was withdrawn in view of Writ Petition challenging order dated 22.12.2025 passed by the Tribunal in S.T. Case No.31/2025.



43. The challenge in the Writ Petition pertains to the Tribunal's order dated 22.12.2025, which denied interim relief with respect to SCN-III. There was no contest to SCN-III itself. Consequently, the presence of the Nominated Authority within this Court's jurisdiction offers no benefit to the Appellant, as the issuance of SCN-III did not constitute a decision that would provide Vedanta grounds to pursue a Writ Petition. The Writ Petition is specifically directed against orders issued by the Tribunal. Therefore, Vedanta's assertion that part of the cause of action arose within this Court's jurisdiction due to SCN-III being issued by the Nominated Authority located here is untenable, since the issuance of SCN-III is not under challenge. The order under challenge in the Writ Petition has been passed by the Tribunal, which falls outside this Court's jurisdiction.

44. It is established law that a show cause notice does not amount to a final determination, and if an adverse final decision is rendered, the petitioner retains the right to seek an appropriate legal remedy, as affirmed in *Okinawa Autotech (supra)*.

45. Accordingly, the Nominated Authority has not passed any order which is in appeal before the Tribunal and, therefore, the law laid down in *Chinteshwar Steel (supra)* that when original authority and the appellate authority are situated in two different High Courts, both High Courts will have jurisdiction to entertain the writ petition and it is the petitioner who would have liberty to chose the High Court in which the petition is to be filed, will not apply in the facts of the present case. As SCN-III only called upon the Appellant to submit response in writing within 15 days of the receipt of SCN-III as to why action under Clause 10.3 read with Clause 26.3.1(t) of the CMPDA dated 11.01.2021 should not be taken by the



Nominated Authority for termination of the agreement on the ground of public interest, the same is not an order passed by the Nominated Authority.

46. Therefore, material, essential and dominant cause of action has not arisen within the jurisdiction of this Court and, accordingly, the submission of the Appellant that this Court ought to have exercised jurisdiction on the basis of issuance of SCN-III within the jurisdiction of this Court is untenable. By issuing SCN-III, no order has been passed and accordingly forum convenience would be in the jurisdictional High Court where the Tribunal is situated.

47. In view of the above, we concur with the view taken by the learned Single Judge in the Impugned Orders. Hence, the Appeal filed by Vedanta being LPA No. 83/2026 along with the pending applications deserves to be dismissed.

Re: Grant of interim measure while dismissing the Writ Petition:

48. The grievance of the Nominated Authority in the Appeal filed by it being LPA No. 84/2026 is that once the learned Single Judge has dismissed the Appeal on the ground of lack of territorial jurisdiction, no protection to Vedanta could have been granted in form of interim relief whereby *status quo qua* any precipitative action was directed to be maintained till the application of stay of SCN-III is adjudicated by the Tribunal.

49. It was submitted on behalf of the Nominated Authority that the learned Single Judge granted interim protection without duly recording satisfaction regarding the established trinity test: *prima facie* case, balance of convenience, and irreparable injury. Furthermore, it was submitted that the issuance of the Impugned Orders has resulted in a stay of SCN-III, thereby preventing the Nominated Authority from proceeding further. It was



also contended that allowing Vedanta to benefit from interim protection through forum shopping has caused significant prejudice to the Nominated Authority, as such actions could undermine judicial discipline and impede statutory remedies.

50. The learned Senior Counsel for Vedanta has submitted that the Impugned Orders granted limited interim protection till such time the stay application filed by Vedanta is adjudicated by the Tribunal. Therefore, the grant of status quo with regard to any precipitative action was justified as otherwise the appeal filed by Vedanta before the Tribunal would have become infructuous.

51. Upon careful consideration of the submissions made by both Parties, we are of the view that that the Impugned Orders observe that Vedanta's grievance should be addressed before the jurisdictional High Court given that material and dominant cause of action did not arise within this Court's jurisdiction. Consequently, the Writ Petition was dismissed as it was deemed more appropriate for Vedanta to pursue its remedy in the High Court of Orissa, where the essential cause of action has arisen.

52. The learned Single Judge declined to exercise jurisdiction due to considerations of forum convenience and the absence of a dominant cause of action within this Court's jurisdiction. Given the unique and peculiar circumstances of the case, limited interim protection was granted to maintain *status quo* regarding any precipitative actions until the adjudication of the stay application by the Tribunal considering the previous interim orders passed by this Court granting protection to Vedanta. Therefore, the learned Single Judge granted interim protection for maintaining *status quo* in the interest of justice.



53. Hence, we do not find any infirmity with the direction passed by the learned Singel Judge in the Impugned Orders to maintain *status quo qua* any precipitative action till such time the stay application is adjudicated by the Tribunal as the same is limited in nature as to the scope and timing and protects the interests of both Parties.

54. Therefore, we do not find any merit in the Appeal filed by the Nominated Authority being LPA No. 84/2026, which also deserves to be dismissed.

55. Accordingly, both LPA Nos. 83/2026 and 84/2026 along with pending Application(s), if any, are hereby dismissed. There shall be no order as to costs.

TEJAS KARIA, J

DEVENDRA KUMAR UPADHYAYA, CJ

APRIL 10, 2026

Gsr/ap