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

+ W.P. (CRL) 1018/2021

SKS POWER GENERATION CHATTISGARH  
LTD

..... Petitioner

Through Mr.Rakesh Kumar Khanna, Sr.  
Adv. with Ms.Vaishali Gupta,  
Adv.

versus

UNION OF INDIA & ANR.

..... Respondent

Through Mr.Chetan Sharma, ASG with  
Ms.Suparna Srivastava, CGSC  
with Mr.Amit Gupta, Mr.Vinay  
Yadav, Mr.Akshay Gadeock,  
Mr.Sahaj Garg & Md.Shahzeb,  
Adv. for State.  
Mr.Rajesh Kumar, SPP for  
CBI/R2.

**CORAM:**

**HON'BLE MR. JUSTICE SURESH KUMAR KAIT**

**ORDER**

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**24.05.2021**

The hearing has been conducted through video conferencing.

**CRL.M.A. 7989-90/2021 (exemption)**

1. Allowed, subject to all just exceptions.
2. Applications are disposed of.

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3. Present petition has been filed under Article 226 of the Constitution of India read with section 482 Cr.P.C. seeking direction thereby directing a SIT investigation to be conducted by an Independent

Statutory Body i.e. Respondent No. 2 to investigate into the illegality and offence committed by the ex-management, ex promoters and ex-employee of the Petitioner Company.

4. Mr.Rakesh Khanna, learned senior counsel appearing on behalf of petitioner submits that petitioner has made representation dated 06.01.2021 before the Hon'ble Home Minister, North Block, Central Secretariat, New Delhi, however, till date, no decision has been taken by the Central Government.

5. Mr.Chetan Sharma, learned Additional Solicitor General appearing on behalf of the State submits that though in view of the averments made in the said petition, the subject matter is before the Ministry of Company Affairs, however, the Ministry of Home Affairs shall take the decision on the representation mentioned above within four weeks and communicate the same to the petitioner within one week thereafter.

6. Keeping in view the statement made by learned Additional Solicitor General appearing on behalf of the State, I hereby dispose of the present petition by directing the Ministry of Home Affairs, Government of India to take decision on the representation made by the petitioner on 06.01.2021 within four weeks from the receipt of the order.

7. I hereby make it clear that the if the said Ministry is of the opinion that the representation is to be decided by the Ministry of Company Affairs, the same shall be sent to the said Company within two weeks from the receipt of the order and the Ministry of Company Affairs shall take decision within four weeks thereafter and decision of the same shall be communicated to the petitioner in writing within one week thereafter.

8. In view of above, the petition is disposed of.

9. Copy of this order be sent to the Home Minister, North Block, Central Secretariat, New Delhi, for information and necessary compliance.

**SURESH KUMAR KAIT, J**

**MAY 24, 2021/ab**