IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.909 of 2026

CNR No. ODHC010459612026

Competition Commission of India, New Delhi & Another …. ***Appellants***

Ms. Madhavi Divan, Sr. Advocate
Ms. Swati Smita Pati, Advocate
Mr. Binod Kumar Behera, Advocate
Mr. Ankur Singh, Advocate
Mr. Kaustav Som, Advocate
Mr. Garvish Jain, Advocate
Ms. Aishani Narain, Advocate

-Versus-

M/S Rungta Mines Limited, Kolkata & Others …. ***Respondents***

Mr. Abhisek Manu Singhvi, Sr. Advocate
Mr. Manoj Kumar Mishra, Sr. Advocate
Mr. Tanmay Mishra, Advocate
Mr. D. Poddar, Advocate
Mr. H. Dadwal, Advocate
Ms. T. Shreyashi, Advocate
Ms. P. Jagetia, Advocate
Mr. A. Nagar, Advocate
(For Respondents)

CORAM:
HON'BLE THE CHIEF JUSTICE
AND
HON'BLE MR. JUSTICE CHITTARANJAN DASH

Date of Hearing: 08.10.2026

Date of Judgment: 10.11.2026

Chittaranjan Dash, J.

1. This intra-court appeal has been filed by the Competition Commission of India (hereinafter referred to as "the CCI") and the Director General (Investigation) (hereinafter referred to as "the DG"), assailing the judgment and order dated 22.05.2026 passed by the learned Single Judge in W.P.(C) No. 24391 of 2025. By the impugned judgment, the learned Single Judge allowed the Writ petition filed by Rungta Mines Limited and its Whole-Time Director, and quashed the investigation arising out of Suo Motu Case No. 02 of 2021, together with all consequential proceedings, insofar as the Writ Petitioners were concerned.

Background Facts

2. The factual background giving rise to the present appeal may be briefly noticed. The matter traces back to a complaint dated 06.03.2021 lodged by the Coimbatore Corporation Contractors Welfare Association (hereinafter referred to as "CCCWA") before the Central Bureau of Investigation (hereinafter referred to as "the CBI"), alleging cartelisation and price-fixing by certain steel manufacturers. Rungta Mines Limited was not named in the said complaint. On 30.04.2021, the CBI forwarded the complaint to the DG, CCI, for necessary action. In the meantime, CCCWA had approached the Madras High Court by instituting Crl. O.P. No. 6153 of 2021 under Section 482 of the Code of Criminal Procedure, 1973. By order dated 29.07.2021, the Madras High Court directed the DG to proceed further and take necessary and appropriate action on the complaint in accordance with law.

The CCI thereafter considered the matter in its meeting held on 17.08.2021 and, by the minutes recorded on 23.08.2021, directed registration of a suo motu case and investigation by the DG in terms of the directions contained in the order of the Madras High Court. Accordingly, Suo Motu Case No. 02 of 2021 came to be registered before the CCI.

In the course of the investigation, the DG obtained search warrants from the learned Chief Metropolitan Magistrate, New Delhi, on 29.11.2022. Pursuant thereto, search and seizure operations were conducted at the Kolkata office of Rungta Mines Limited between 16.12.2022 and 18.12.2022, during which statements of its employees were recorded. Subsequently, on 27.03.2023, summons were issued to two of its employees in connection with the investigation. Meanwhile, the Calcutta High Court, by order dated 18.05.2023 in *Shyam Steel Industries Limited v. Union of India* (in WPA No. 10107 of 2023), declined to interfere with the ongoing investigation in. Thereafter, the Madras High Court, by judgment dated 19.10.2023 in *Agni Steels Private Limited v. Union of India*, (in W.P. No. 11911 of 2023), dismissed a challenge to the investigation arising out of the same suo motu case. The Special Leave Petition preferred against the said judgment was dismissed by the Hon'ble Supreme Court on 10.11.2023.

The DG submitted its investigation report before the CCI on 05.01.2024. Upon consideration thereof, the CCI, by its direction dated 05.04.2024, required further investigation under Section 26(3A) of the Competition Act, 2002 (hereinafter referred to as "the Act"). A supplementary investigation report was submitted on 11.04.2025.

Thereafter, the CCI issued further directions for investigation on 23.07.2025, pursuant to which the DG submitted a second supplementary investigation report on 12.08.2025.

On 18.07.2025, Rungta Mines Limited sought inspection of the records relating to Suo Motu Case No. 02 of 2021. The CCI allowed the request on 08.08.2025, and certified copies of the records were furnished on 20.08.2025. According to the Writ Petitioners, it was upon inspection of the records that they came to know that Rungta Mines Limited had been treated as an Opposite Party in the proceedings.

Consequently, on 01.09.2025, they instituted W.P.(C) No. 24391 of 2025 before this Court, principally challenging the jurisdictional foundation of the investigation and the consequential proceedings insofar as they were concerned. The learned Single Judge, by the impugned judgment dated 22.05.2026, allowed the Writ petition and quashed the investigation and consequential proceedings insofar as the Writ Petitioners were concerned. Aggrieved thereby, the CCI and the DG have preferred the present intra-court appeal.

Contention on behalf of both the Parties

3. Ms. Divan, learned Senior Counsel appearing for the Appellants submitted that the learned Single Judge erred in quashing the investigation arising out of Suo Motu Case No. 02 of 2021. It was contended that the CCI had duly considered the matter and directed investigation in exercise of its powers under Section 26(1) of the Act, pursuant to the order dated 29.07.2021 passed by the Madras High Court. She submitted that the said order, having been acted upon and

having attained finality, could not be questioned in the present proceedings. Reliance was placed on ***Agni Steels Private Limited v. Union of India***, W.P. No. 11911 of 2023, decided on 19.10.2023, whose challenge was dismissed by the Hon'ble Supreme Court, as well as the proceedings in ***Shyam Steel Industries Ltd. v. Union of India***, WPA No. 10107 of 2023. It was further contended that the investigation was in the nature of an inquisitorial fact-finding exercise and that the Director General was not confined to the entities named in the original complaint, but could investigate other enterprises whose involvement emerged during the course of investigation. In support of this submission, reliance was placed on ***Competition Commission of India v. Steel Authority of India Ltd.***, (2010) 10 SCC 744; ***Excel Crop Care Ltd. v. CCI***, (2017) 8 SCC 47; ***Cadila Healthcare v. CCI***, 2018 SCC OnLine Del 11229; and ***CCI v. Grasim Industries Ltd.***, 2019 SCC OnLine Del 10017. Ms. Divan also questioned the territorial jurisdiction of this Court and alleged forum shopping and suppression of the earlier proceedings before the Madras and Calcutta High Courts. They further contended that the Writ petition was premature, suffered from delay and ought not to have been entertained at the stage of investigation. In support of the plea concerning the binding effect of the earlier proceedings and judicial comity, reliance was also placed on ***Tayabbhai M. Bagasarwalla v. Hind Rubber Industries (P) Ltd***., (1997) 3 SCC 443, and ***Kamatchi v. Lakshmi Narayanan***, (2022) 15 SCC 50.

4. Per contra, Mr. Singhvi learned Senior Counsel appearing for the Respondents supported the judgment of the learned Single Judge and submitted that the investigation was without a valid jurisdictional

foundation, in the absence of a proper order reflecting the CCI's independent application of mind and prima facie satisfaction under Section 26(1) of the Act. It was contended that the order dated 29.07.2021 passed by the Madras High Court merely required the DG to take action in accordance with law and could not dispense with the statutory requirement under Section 26(1) of the Act. Mr. Singhvi further submitted that the decision in Agni Steels was distinguishable, was not binding on this Court and, in any event, the dismissal of the Special Leave Petition against it did not result in merger or constitute a declaration of law under Article 141 of the Constitution of India. Reliance was placed, in this regard, on ***Kunhayammed v. State of Kerala***, (2000) 6 SCC 359, and other decisions concerning the doctrine of merger and the effect of dismissal of a Special Leave Petition. It was also contended that Rungta Mines Limited had been brought within the investigation and treated as an Opposite Party without following the procedure contemplated under Regulation 24 of the Competition Commission of India (General) Regulations, 2009, or affording the requisite notice and opportunity. Reliance was placed on ***MRF Ltd. v. Competition Commission of India***, 2024 SCC OnLine Mad 2244. He further sought to distinguish ***Excel Crop Care*** (supra), ***Cadila Healthcare*** (supra) and ***Grasim Industries*** (supra) on the ground that those decisions did not authorise the DG to implead an unnamed entity as an Opposite Party without following the prescribed procedure. They also resisted the objections regarding territorial jurisdiction, forum shopping and delay, placing reliance on ***Kusum Ingots & Alloys Ltd. v. Union of India***, (2004) 6 SCC 254; ***Alchemist Ltd. v. State Bank of Sikkim***, (2007) 11 SCC 335; and ***Sterling Agro Industries Ltd. v. Union of India***, AIR 2011 Delhi 174. It was,

accordingly, submitted that the learned Single Judge had rightly interfered with the investigation and the consequential proceedings insofar as the Respondents were concerned.

5. The learned Single Judge, upon consideration of the rival submissions, held that the order dated 29.07.2021 passed by the Madras High Court could not be construed as dispensing with the statutory requirement under Section 26(1) of the Act, or as a substitute for the CCI's independent formation of a prima facie opinion. It was further held that the minutes dated 23.08.2021 did not disclose the requisite independent application of mind by the CCI and, consequently, the investigation against the Writ Petitioners suffered from a jurisdictional infirmity. The learned Single Judge also found merit in the Writ Petitioners' objection regarding their inclusion in the investigation without following the requisite procedure. Accordingly, the Writ petition was allowed and the investigation arising out of Suo Motu Case No. 02 of 2021, together with all consequential proceedings, was quashed insofar as the Writ Petitioners were concerned.

Analysis

6. We have heard learned counsel appearing for the parties at considerable length and have also carefully perused the pleadings, the materials available on record and the detailed Written submissions filed on their behalf. At the outset, it may be observed that, in exercise of its intra-court appellate jurisdiction, this Court is not required to undertake a fresh appraisal of the entire factual material as though it were sitting as a Court of first instance. The principal consideration is

whether the impugned judgment suffers from any error warranting appellate interference. At the same time, this limitation does not preclude this Court from examining and clarifying the legal position governing the issues.

I. <u>Whether the learned Single Judge was justified in entertaining the Writ petition under Article 226 of the Constitution of India, notwithstanding the objections raised by the CCI regarding maintainability, availability of statutory remedies, delay and prematurity?</u>

7. The objection to the maintainability of the Writ petition is required to be examined in the context of the nature of the challenge raised by the Writ Petitioners. The settled position is that the existence of an alternative statutory remedy does not, by itself, operate as an absolute bar to the exercise of jurisdiction under Article 226 of the Constitution. Although the High Court ordinarily refrains from entertaining a Writ petition where an efficacious alternative remedy is available, such restraint is not inflexible, particularly where the proceedings are alleged to have been initiated without jurisdiction or in breach of the principles of natural justice. The exceptions to the rule of alternative remedy have been recognised by the Hon'ble Supreme Court in ***Whirlpool Corporation v. Registrar of Trade Marks***, (1998) 8 SCC 1, and reiterated in ***M/S Radha Krishan Industries v. State of Himachal Pradesh***, (2021) 6 SCC 771. Relevant paragraphs are reproduced as below:

> "26. Following the dictum of this Court in ***Whirlpool***[1], in ***Harbanslal Sahnia v Indian Oil Corpn. Ltd***.[2], this court noted that :

[1] Whirlpool Corporation v. Registrar of Trade Marks, (1998) 8 SCC 1

"7. So far as the view taken by the High Court that the remedy by way of recourse to arbitration clause was available to the appellants and therefore the Writ petition filed by the appellants was liable to be dismissed is concerned, suffice it to observe that the rule of exclusion of Writ jurisdiction by availability of an alternative remedy is a rule of discretion and not one of compulsion. *In an appropriate case, in spite of availability of the alternative remedy, the High Court may still exercise its Writ jurisdiction in at least three contingencies: (i) where the Writ petition seeks enforcement of any of the fundamental rights; (ii) where there is failure of principles of natural justice; or (iii) where the orders or proceedings are wholly without jurisdiction or the vires of an Act is challenged. (See Whirlpool Corpn. v. Registrar of Trade Marks) The present case attracts applicability of the first two contingencies. Moreover, as noted, the appellants' dealership, which is their bread and butter, came to be terminated for an irrelevant and non-existent cause. In such circumstances, we feel that the appellants should have been allowed relief by the High Court itself instead of driving them to the need of initiating arbitration proceedings*."

(emphasis supplied)

27. The principles of law which emerge are that:

(i) The power under Article 226 of the Constitution to issue Writs can be exercised not only for the enforcement of fundamental rights, but for any other purpose as well;

(ii) The High Court has the discretion not to entertain a Writ petition. One of the restrictions placed on the power of the High Court is where an effective alternate remedy is available to the aggrieved person;

(iii) Exceptions to the rule of alternate remedy arise where (a) the Writ petition has been filed for the enforcement of a fundamental right protected by Part III of the Constitution; (b) there has been a violation of the principles of natural justice; (c) the order or proceedings are wholly without jurisdiction; or (d) the vires of a legislation is challenged;

(iv) An alternate remedy by itself does not divest the High Court of its powers under Article 226 of the Constitution in an appropriate case though ordinarily, a Writ petition should not be entertained when an efficacious alternate remedy is provided by law;

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[2] Harbanslal Sahnia v Indian Oil Corpn. Ltd., (2003) 2 SCC 107

> (v) When a right is created by a statute, which itself prescribes the remedy or procedure for enforcing the right or liability, resort must be had to that particular statutory remedy before invoking the discretionary remedy under Article 226 of the Constitution. This rule of exhaustion of statutory remedies is a rule of policy, convenience and discretion; and
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> (vi) In cases where there are disputed questions of fact, the High Court may decide to decline jurisdiction in a Writ petition. However, if the High Court is objectively of the view that the nature of the controversy requires the exercise of its Writ jurisdiction, such a view would not readily be interfered with."

8. In the present case, the Writ Petitioners did not seek an adjudication on the merits of the allegations under investigation or invite the Writ Court to examine the sufficiency of the material collected by the DG. Their principal challenge was to the very jurisdictional foundation of the investigation, namely, the alleged absence of a valid direction under Section 26(1) of the Act. The appellate remedy under Section 53B of the Act is available against orders falling within the statutory framework specified therein; it does not provide an appeal against the initiation of an investigation under Section 26(1) of the Act or the investigative steps undertaken by the DG. The opportunity to file objections or suggestions before the Commission at a subsequent stage cannot, by itself, be regarded as an efficacious remedy for questioning the jurisdictional basis on which the investigation was commenced. In these circumstances, the mere availability of remedies at the later adjudicatory stage would not preclude the Writ Petitioners from invoking the jurisdiction of this Court.

9. It is true that the Hon'ble Supreme Court in ***Competition Commission of India v. Steel Authority of India Ltd.*** (supra), has

emphasised the preliminary and administrative character of a direction under Section 26(1) of the Act and cautioned against judicial interference at the stage of investigation. The principle underlying the decision is that an investigation ought not to be interdicted merely because an affected enterprise disputes the allegations or the material collected against it. However, that principle does not foreclose judicial scrutiny where the challenge is directed to the existence of the statutory foundation itself. There is a material distinction between questioning the manner or outcome of an investigation and questioning the authority under which it was initiated. The Writ petition, as framed, raised the latter question. Whether that jurisdictional objection is ultimately sustainable is a matter to be considered independently while examining the relevant statutory provision and the decision of the Commission.

10. The objection founded on delay and laches also does not persuade us to reject the Writ petition at the threshold. The Appellants have emphasised that the Writ Petitioners were aware of the investigation at least from December 2022, when search and seizure operations were conducted at their premises, and thereafter when summons were issued to their employees. Mr. Singhvi, on the other hand, presses that they were not made aware of their status as an Opposite Party and that the material disclosing the alleged jurisdictional infirmity came to their knowledge only upon inspection of the Commission's records in August 2025. The distinction is relevant. Knowledge of the existence of an investigation cannot, without more, be equated with knowledge of the statutory basis on which an enterprise is sought to be proceeded against. The record

indicates that the request for inspection was made on 18.07.2025, inspection was permitted on 08.08.2025, and certified copies were furnished on 20.08.2025. The Writ petition was instituted on 01.09.2025. In the circumstances, the interval between the asserted discovery of the relevant material and the institution of the Writ petition cannot be characterised as unexplained or unreasonable delay.

11. A plea of want of jurisdiction does not, by itself, exclude the application of delay and laches, as the exercise of Writ jurisdiction remains discretionary. However, in the present case, the Writ Petitioners approached this Court promptly after obtaining access to the relevant records. Their prior participation in the investigation, without demonstrated knowledge of the precise jurisdictional infirmity now alleged, cannot by itself amount to acquiescence.

12. The Writ petition cannot be rejected as premature merely because the investigation had not culminated in a final adjudicatory order. While Courts ordinarily refrain from interfering with ongoing investigations, a challenge to the very authority to initiate such investigation stands on a different footing. The Writ Petitioners could not be compelled to await its conclusion before questioning the existence of the statutory precondition. We, therefore, find no infirmity in the learned Single Judge entertaining the Writ petition under Article 226 of the Constitution. This finding is confined to maintainability and does not touch upon the validity of the direction under Section 26(1) of the Act.

II. Whether the learned Single Judge was justified in holding that a substantial part of the cause of action arose within the

territorial jurisdiction of the Orissa High Court under Article 226(2) of the Constitution?

13. The next objection concerns the territorial jurisdiction of this Court. Article 226(2) of the Constitution enables a High Court to exercise jurisdiction where the cause of action, wholly or in part, arises within its territorial limits, notwithstanding that the seat of the Government or authority concerned is situated outside such limits. The expression "cause of action" refers to the bundle of material facts which the Petitioner is required to establish to obtain relief. It is not necessary that the entirety of the cause of action should arise within the territorial jurisdiction of the Court; however, the facts relied upon must have a real and integral connection with the lis. The mere existence of an incidental or remote consequence within the territorial limits would not suffice. This principle has been explained by the Hon'ble Supreme Court in ***Oil and Natural Gas Commission v. Utpal Kumar Basu***, (1994) 4 SCC 711.

14. The Appellants contend that the registered office of Rungta Mines Limited is situated at Kolkata, the search and seizure operations were conducted there, and the summons to its employees were also issued in Kolkata. According to them, the material events giving rise to the challenge occurred outside the territorial jurisdiction of this Court. The Respondents, however, point out that three out of the four manufacturing units of Rungta Mines Limited are situated in Odisha and that a substantial part of its manufacturing and sales operations, together with its network of suppliers and customers, is located within the State.

15. In our view, the territorial nexus cannot be determined merely by reference to the location of the registered office of Rungta Mines Limited or the place where particular investigative steps were undertaken. The nature of the challenge and the subject matter of the investigation must also be taken into consideration. In the present case, the investigation concerns alleged anti-competitive conduct in the steel market, and Rungta Mines Limited itself is sought to be proceeded against in relation thereto. The Respondents have specifically pointed out that three of its four manufacturing units are situated in Odisha and that substantial manufacturing and sales operations are carried on within the State. These facts assume relevance because the challenge is directed against the very inclusion of Rungta Mines Limited in the investigation, and not merely against an isolated investigative step undertaken outside the State. The connection of the enterprise's manufacturing and commercial operations within Odisha with the subject matter of the investigation, therefore, cannot be regarded as incidental or remote. We are, accordingly, satisfied that a part of the cause of action arose within the territorial jurisdiction of this Court. The learned Single Judge was justified in entertaining the writ petition on that basis.

16. Furthermore, the mere fact that other High Courts have considered similar challenges arising from the same investigation does not, by itself, establish forum shopping. The proceedings before the Madras and Calcutta High Courts were instituted by different parties, and the present Respondents were not parties thereto. While the earlier decisions are relevant circumstances, they do not, in the

absence of identity of parties, operate as a bar to the present Respondents invoking the jurisdiction of this Court.

III. <u>Whether the order dated 29.07.2021 passed by the Madras High Court in Crl.O.P. No.6153 of 2021 could be construed as dispensing with, or substituting, the statutory requirement of forming a prima facie opinion under Section 26(1) of the Act?</u>

17. Ms. Divan, learned senior counsel, contends that the order dated 29.07.2021 passed by the Madras High Court attained finality and was binding upon the CCI and the DG. It is submitted that the Madras High Court, upon being informed that the complaint had already been forwarded to the DG, directed the latter to proceed further and take necessary and appropriate action. She argues that the direction was not merely to consider the complaint, but to act upon it. It is further contended that, pursuant to the said direction, the CCI convened a meeting, deliberated upon the matter and registered a suo motu case, following which the DG undertook an investigation. The Appellants maintain that the investigation was not confined to the entities named in the original complaint and that Rungta Mines came under scrutiny in the course of the wider investigation.

18. The operative direction of the Madras High Court was to the DG to proceed further and take necessary and appropriate action on the complaint in accordance with law. The order neither examined the merits of the allegations nor directed the DG to commence an investigation irrespective of the statutory requirements. It also did not consider or adjudicate upon the procedure contemplated under Section 26(1) of the Act.

The fact that the order was not challenged and attained finality cannot be disputed. However, the finality of the order attaches to the direction actually issued and cannot be extended to a meaning or consequence which its terms do not support. The direction to take appropriate action in accordance with law required the authorities to act within the statutory framework governing their respective powers. It could not be construed as authorising the DG to exercise a power which the Act vests in the CCI, or as dispensing with a statutory precondition for setting the investigative process in motion.

19. The statute makes a clear distinction between the functions of the CCI and the DG. The power to form a prima facie opinion and direct an investigation under Section 26(1) of the Act vests in the CCI, whereas the DG undertakes investigation pursuant to such direction. A judicial direction to take action in accordance with law cannot be read as transferring the statutory power of the CCI to the DG or permitting the latter to proceed independently of the prescribed statutory framework.

20. Moreover, the fact that the CCI thereafter registered a suo motu case and the DG undertook an investigation pursuant to the proceedings initiated thereunder does not, by itself, establish that the requirement under Section 26(1) of the Act stood dispensed with by reason of the Madras High Court's order. Whether the investigation could extend beyond the entities named in the original complaint, and whether the proceedings could validly encompass Rungta Mines in the course of such investigation, are questions concerning the scope of the CCI's investigative powers, which we shall consider separately. Meanwhile, it is sufficient to hold that the order dated 29.07.2021,

notwithstanding its finality, could neither substitute the CCI's statutory satisfaction nor dispense with the requirement under Section 26(1) of the Act.

IV. <u>Whether the decision of the CCI dated 23.08.2021, registering Suo Motu Case No.02 of 2021 and directing the DG to investigate, constituted sufficient compliance with Section 26(1) of the Act?</u>

21. The question requires an examination of the legal framework governing the initiation of an inquiry by the Competition Commission of India, the nature of the satisfaction required to be arrived at before directing an investigation, and the extent to which such satisfaction must be reflected in the decision of the Commission. It would, therefore, be appropriate to reproduce the relevant statutory provisions.

> "**Inquiry into certain agreements and dominant position of enterprise**
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> 19. (1) The Commission may inquire into any alleged contravention of the provisions contained in subsection (1) of section 3 or sub-section (1) of section 4 either on its own motion or on—
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> (a) [receipt of any information, in such manner and] accompanied by such fee as may be determined by regulations, from any person, consumer or their association or trade association; or
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> (b) a reference made to it by the Central Government or a State Government or a statutory authority.
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> (2) Without prejudice to the provisions contained in sub-section (1), the powers and functions of the Commission shall include the powers and functions specified in sub-sections (3) to (7).
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> …
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> **Inquiry into combination by Commision**
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> **20.** (1) The Commission may, upon its own knowledge or information relating to acquisition referred to in clause (a) of

section 5 or acquiring of control referred to in clause (b) of section 5 or merger or amalgamation referred to in clause (c) of that section, inquire into whether such a combination has caused or is likely to cause an appreciable adverse effect on competition in India:

Provided that the Commission shall not initiate any inquiry under this subsection after the expiry of one year from the date on which such combination has taken effect.

(2) The Commission shall, on receipt of a notice under sub-section (2) of section 6, inquire whether a combination referred to in that notice or reference has caused or is likely to cause an appreciable adverse effect on competition in India.

(3) Not with standing anything contained in section 5, the Central Government shall, on the expiry of a period of two years from the date of commencement of this Act and thereafter every two years, in consultation with the Commission, by notification, enhance or reduce, on the basis of the wholesale price index or fluctuations in exchange rate of rupee or foreign currencies, the value of assets or the value of turnover, for the purposes of that section.

(4) For the purposes of determining whether a combination would have the effect of or is likely to have an appreciable adverse effect on competition in the relevant market, the Commission shall have due regard to all or any of the following factors, namely:—

(a) actual and potential level of competition through imports in the market

(b) extent of barriers to entry into the market;

(c) level of combination in the market;

(d) degree of countervailing power in the market;

(e) likelihood that the combination would result in the parties to the combination being able to significantly and sustainably increase prices or profit margins;

(f) extent of effective competition likely to sustain in a market;

(g) extent to which substitutes are available or arc likely to be available in the market;

(h) market share, in the relevant market, of the persons or enterprise in a combination, individually and as a combination;

(i) likelihood that the combination would result in the removal of a vigorous and effective competitor or competitors in the market;

(j) nature and extent of vertical integration in the market;

(k) possibility of a failing business;

(I) nature and extent of innovation;

(m) relative advantage, by way of the contribution to the economic development, by any combination having or likely to have appreciable adverse effect on competition;

(n) whether the benefits of the combination outweigh the adverse impact of the combination, if any.

Procedure for inquiry under section 19

26. (1) On receipt of a reference from the Central Government or a State Government or a statutory authority or on its own knowledge or information received under section 19, if the Commission is of the opinion that there exists a prima facie case, it shall direct the Director General to cause an investigation to be made into the matter:

Provided that if the subject matter of an information received is, in the opinion of the Commission, substantially the same as or has been covered by any previous information received, then the new information may be clubbed with the previous information.

(2) Where on receipt of a reference from the Central Government or a State Government or a statutory authority or information received under section 19, the Commission is of the opinion that there exists no prima facie case, it shall close the matter forthwith and pass such orders as it deems fit and send a copy of its order to the Central Government or the State Government or the statutory authority or the parties concerned, as the case may be.

(3) The Director General shall, on receipt of direction under sub-section (1), submit a report on his findings within such period as may be specified by the Commission.

(4) The Commission may forward a copy of the report referred to in sub section(3) to the parties concerned:

Provided that in case the investigation is caused to be made based on reference received from the Central Government or the State Government or the statutory authority, the Commission shall forward a copy of the report referred to in sub- section (3) to the Central Government or the State Government or the statutory authority, as the case may be.

(5) If the report of the Director General referred to in sub-section (3) recommends that there is no contravention of the provisions of this Act, the Commission shall invite objections or suggestions from the Central Government or the State Government or the statutory authority or the parties concerned, as the case may be, on such report of the Director General.

(6) If, after consideration of the objections and suggestions referred to in sub section (5), if any, the Commission agrees with the recommendation of the Director General, it shall close the matter forthwith and pass such orders as it deems fit and communicate its order to the Central Government or the State Government or the statutory authority or the parties concerned, as the case may be.

(7) If, after consideration of the objections or suggestions referred to in sub section (5), if any, the Commission is of the opinion that further investigations is called for, it may direct further investigation in the matter by the Director General or cause further inquiry to be made by in the matter or itself proceed with further inquiry in the matter in accordance with the provisions of this Act.

(8) If the report of the Director General referred to in sub-section (3) recommends that there is contravention of any of the provisions of this Act, and the Commission is of the opinion that further inquiry is called for, it shall inquire into such contravention in accordance with the provisions of this Act.

22. A conjoint reading of the aforesaid provisions indicates that the Act entrusts the Commission with the responsibility of examining alleged contraventions of its provisions and taking appropriate steps to protect competition in the market. Section 19 of the Act provides the statutory basis for an inquiry into alleged contraventions, including one initiated by the Commission on its own motion. Section 20 of the Act, on the other hand, deals with inquiries into combinations and operates in its own distinct field. Section 26 of the Act prescribes the procedure to be followed by the Commission upon receipt of a reference, on its own knowledge, or upon receipt of information under

Section 19 of the Act. The statutory scheme thus vests the power to initiate an investigation under Section 26(1) of the Act in the Commission, upon its formation of an opinion that a prima facie case exists.

23. The expression "prima facie" assumes significance in this context. The formation of such an opinion is not intended to be a final determination of the allegations, nor does it require the Commission to undertake an elaborate adjudication at the threshold. It is a preliminary satisfaction as to whether the information or material before it warrants an investigation by the Director General. Nevertheless, the requirement is statutory and cannot be reduced to a mere procedural formality. The Commission must apply its mind to the material placed before it and arrive at its own satisfaction that a prima facie case exists. The power to direct an investigation is thus not an automatic consequence of the receipt of a complaint or information.

24. The nature of the function performed by the Commission at this stage, and the degree of application of mind required of it, fell for consideration before the Hon'ble Supreme Court in ***Competition Commission of India v. Steel Authority of India Ltd.***, (supra). The Hon'ble Supreme Court, while recognising that a direction under Section 26(1) of the Act is administrative and preparatory in nature and does not involve adjudication of the rights of the parties, nevertheless explained that the Commission is expected to record at least some reasons while forming its prima facie view. The relevant observations of the Hon'ble Supreme Court are reproduced hereinbelow:

"31. The power under Section 33 of the Act to pass temporary restraint order can only be exercised by the Commission when it has formed prima facie opinion and directed investigation in terms of Section 26(1) of the Act, as is evident from the language of this provision read with Regulation 18(2) of the Regulations.

5) In consonance with the settled principles of administrative jurisprudence, the Commission is expected to record at least some reason even while forming a prima facie view. However, while passing directions and orders dealing with the rights of the parties in its adjudicatory and determinative capacity, it is required of the Commission to pass speaking orders, upon due application of mind, responding to all the contentions raised before it by the rival parties.

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38. In contradistinction, the direction under Section 26(1) after formation of a prima facie opinion is a direction simpliciter to cause an investigation into the matter. Issuance of such a direction, at the face of it, is an administrative direction to one of its own wings departmentally and is without entering upon any adjudicatory process. It does not effectively determine any right or obligation of the parties to the lis. Closure of the case causes determination of rights and affects a party i.e. the informant; resultantly, the said party has a right to appeal against such closure of case under Section 26(2) of the Act. On the other hand, mere direction for investigation to one of the wings of the Commission is akin to a departmental proceeding which does not entail civil consequences for any person, particularly, in light of the strict confidentiality that is expected to be maintained by the Commission in terms of Section 57 of the Act and Regulation 35 of the Regulations.

39. Wherever, in the course of the proceedings before the Commission, the Commission passes a direction or interim order which is at the preliminary stage and of preparatory nature without recording findings which will bind the parties and where such order will only pave the way for final decision, it would not make that direction as an order or decision which affects the rights of the parties and therefore, is not appealable.

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91. The jurisdiction of the Commission, to act under this provision, does not contemplate any adjudicatory function. The Commission is not expected to give notice to the parties

> i.e. the informant or the affected parties and hear them at length, before forming its opinion. The function is of a very preliminary nature and in fact, in common parlance, it is a departmental function. At that stage, it does not condemn any person and therefore, application of audi alteram partem is not called for. Formation of a prima facie opinion departmentally (the Director General, being appointed by the Central Government to assist the Commission, is one of the wings of the Commission itself) does not amount to an adjudicatory function but is merely of administrative nature. At best, it can direct the investigation to be conducted and report to be submitted to the Commission itself or close the case in terms of Section 26(2) of the Act, which order itself is appealable before the Tribunal and only after this stage, there is a specific right of notice and hearing available to the aggrieved/affected party. Thus, keeping in mind the nature of the functions required to be performed by the Commission in terms of Section 26(1), we are of the considered view that the right of notice or hearing is not contemplated under the provisions of Section 26(1) of the Act.
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> 93. We may also usefully note that the functions performed by the Commission under Section 26(1) of the Act are in the nature of preparatory measures in contrast to the decision-making process. That is the precise reason that the legislature has used the word "direction" to be issued to the Director General for investigation in that provision and not that the Commission shall take a decision or pass an order directing inquiry into the allegations made in the reference to the Commission."

25. The Hon'ble Supreme Court has clarified that, having regard to the preliminary and administrative nature of the function under Section 26(1) of the Act, the Commission is not required to afford a prior opportunity of hearing to the parties likely to be affected by the investigation. The aforesaid exposition of law makes two aspects clear. First, a direction under Section 26(1) of the Act is not an adjudicatory order and is not required to contain an elaborate discussion of the allegations or a final finding on the existence of a contravention. Secondly, the administrative nature of the direction

does not dispense with the requirement that the Commission must form a prima facie opinion before setting the investigative machinery in motion. The expectation, that the Commission record at least some reasons, is not to be equated with the requirement of a detailed speaking order; it is intended to ensure that the decision reflects an application of mind and that the basis for forming the prima facie view is discernible.

26. The scope of the investigation which follows such a direction was subsequently considered by the Hon'ble Supreme Court ***in Excel Crop Care Ltd.***, (supra). While dealing with the contention that the Director General's investigation ought to remain confined to the specific allegations contained in the complaint, the Hon'ble Supreme Court held that such a restricted interpretation would defeat the very object of the Act. The relevant paragraph is reproduced hereinbelow:

> "If the contention of the appellants is accepted, it would render the entire purpose of investigation nugatory. The entire purpose of such an investigation is to cover all necessary facts and evidence in order to see as to whether there are any anti-competitive practices adopted by the persons complained against. For this purpose, no doubt, the starting point of inquiry would be the allegations contained in the complaint. However, while carrying out this investigation, if other facts also get revealed and are brought to light, revealing that the 'persons' or 'enterprises' had entered into an agreement that is prohibited by Section 3 which had appreciable adverse effect on the competition, the DG would be well within his powers to include those as well in his report. Even when the CCI forms prima facie opinion on receipt of a complaint which is recorded in the order passed under Section 26(1) of the Act and directs the DG to conduct the investigation, at the said initial stage, it cannot foresee and predict whether any violation of the Act would be found upon investigation and what would be the nature of the violation revealed through investigation. If the investigation process is to be restricted in the manner projected by the appellants, it would defeat the very purpose of the Act which is to prevent practices having

> appreciable adverse effect on the competition. We, therefore, reject this argument of the appellants as well touching upon the jurisdiction of the DG."

27. The aforesaid decision recognises the latitude available to the Director General in examining facts and material which emerge during an investigation, even if they were not specifically set out in the original complaint. However, the principle enunciated therein operates on the premise that the Commission has first formed the requisite prima facie opinion and issued a direction under Section 26(1) of the Act. The breadth of the investigation which may thereafter be undertaken cannot be conflated with, or relied upon to dilute, the statutory condition governing its initiation. The question whether the investigation could extend to enterprises not named in the original complaint will, therefore, have to be considered in the light of this distinction while examining the next issue.

28. It is against the aforesaid statutory and legal backdrop that the decision of the CCI dated 23.08.2021 requires examination. The Appellants contend that the Commission convened a meeting on 17.08.2021, considered the matter after detailed deliberations and thereafter directed registration of Suo Motu Case No.02 of 2021 and investigation by the DG. According to Ms. Divan, the decision itself embodies the requisite prima facie satisfaction and the Act does not prescribe any particular form or nomenclature for an order under Section 26(1) of the Act. It is further contended that the learned Single Judge erred in treating the absence of a separate or formally worded order under Section 26(1) of the Act as fatal to the investigation.

29. Mr. Singhvi, on the other hand, contends that the minutes dated 23.08.2021 do not disclose any independent consideration of the

complaint or formation of a prima facie opinion by the Commission. He points out that, although the minutes record the decision to register a suo motu case, the direction to the DG is expressly to investigate the matter "in terms of directions contained in the Order dated 29.07.2021" passed by the Madras High Court. According to him, the Commission merely proceeded on the basis of the judicial direction, without undertaking the independent statutory exercise required under Section 26(1) of the Act.

30. In our considered view, the question is not whether the minutes dated 23.08.2021 were separately styled as an order under Section 26(1) of the Act, nor whether the Commission was required to pass a detailed speaking order at the stage of directing investigation. The Act does not prescribe any rigid form in which the direction must be expressed. The substance of the decision, rather than its nomenclature, must govern its validity. Equally, however, the mere fact that the Commission convened a meeting, recorded that detailed deliberations had taken place and directed the registration of a suo motu case cannot, by itself, conclude the inquiry into statutory compliance. What is required to be ascertained is whether the decision, read as a whole and in the context of the material placed before the Commission, demonstrates that the Commission independently considered the matter and formed the requisite prima facie opinion before directing the DG to investigate.

31. The distinction is material. The requirement of recording at least some reasons, as explained by the Hon'ble Supreme Court in ***Competition Commission of India v. Steel Authority of India Ltd.*** (supra), is not a demand for an elaborate adjudication at the threshold.

It is, however, a safeguard against the exercise of statutory power in the absence of the satisfaction which the legislature has made its condition precedent. A recital that deliberations took place may indicate that a meeting was held and the matter was discussed; but the decision must nevertheless disclose, at least in substance, that the Commission applied its mind to the material before it and arrived at its own prima facie view. Otherwise, the statutory requirement would stand reduced to the mere recording of a direction to investigate.

32. In the present case, the minutes dated 23.08.2021 record that the Commission, after detailed deliberations, decided to register the matter as a suo motu case and directed the DG to investigate it "in terms of directions contained in" the order dated 29.07.2021 passed by the Madras High Court. The minutes do not, however, record any prima facie opinion on the allegations of cartelisation, nor do they disclose even in brief the basis on which the Commission considered the material sufficient to warrant an investigation under the Act. The operative direction, instead of indicating an independent assessment by the Commission, expressly links the investigation to the directions contained in the Madras High Court's order. The significance of that reference must be appreciated in the context of the order itself, which, as already noticed, required the authorities to take appropriate action in accordance with law and did not dispense with the statutory exercise contemplated under Section 26(1) of the Act.

33. We are conscious of the submission that the minutes were preceded by deliberations and that the Commission was not required to record elaborate reasons. We are also conscious that a direction under Section 26(1) of the Act is administrative in character and that

no prior notice or hearing was required to be afforded to the proposed Opposite Parties. Those principles, however, do not answer the distinct question whether the Commission itself formed the prima facie opinion required by the statute. The absence of a requirement to hear an affected party cannot be equated with the absence of a requirement to apply the Commission's own mind. Likewise, the administrative character of the direction does not render the statutory precondition dispensable.

34. The Appellants have also placed reliance on the decisions rendered by the Madras High Court in ***Agni Steels Private Limited v. Union of India*** (supra), and by the Division Bench of the Calcutta High Court in ***Shyam Steel Industries Ltd. v. Union of India*** (supra), in support of their submission that the minutes dated 23.08.2021 sufficiently reflected the formation of a prima facie opinion. We have carefully considered the said decisions, particularly the judgment of the Division Bench of the Calcutta High Court dated 06.10.2026, which concerns the very same investigation and the same decision of the CCI. While the view taken therein is entitled to due consideration, we are required to independently examine whether the statutory requirement under Section 26(1) stands satisfied on the basis of the decision actually recorded by the Commission. In this regard, the governing principle laid down by the Hon'ble Supreme Court in ***Competition Commission of India v. Steel Authority of India Ltd.*** (supra) is that, although the direction under Section 26(1) of the Act is administrative in nature and does not require an elaborate speaking order, the Commission is nevertheless expected to record at least some reasons while forming its prima facie opinion. Applying that test

to the minutes dated 23.08.2021, we find that the mere recital of "detailed deliberations", without any indication of the substance or outcome of the Commission's consideration, does not sufficiently disclose the formation of an independent prima facie opinion. The reference in the operative decision to the directions contained in the order of the Madras High Court assumes significance in this context, particularly since that order itself required action only in accordance with law. We are, therefore, unable to accept that the minutes satisfy the statutory requirement merely because the Commission had convened a meeting and recorded that deliberations had taken place.

35. Hence, the minutes dated 23.08.2021, on their face, do not disclose the requisite independent application of mind or the formation of a prima facie opinion by the CCI before directing the DG to investigate. The defect is not one of form or nomenclature, but of the absence of a discernible satisfaction which constitutes the statutory foundation for an investigation under Section 26(1) of the Act. The learned Single Judge was, therefore, justified in holding that the investigation could not be sustained on the basis of the said minutes.

36. The next issue concerns the extent of the investigative powers available to the Director General once an inquiry has been validly set in motion under Section 26(1) of the Act, particularly whether such investigation may extend to enterprises not named in the original complaint.

V. Whether, pursuant to an inquiry validly initiated under Section 26(1) of the Act, the DG could extend the investigation to

enterprises not named in the original complaint, and whether the direction registering Suo Motu Case No.02 of 2021 operated in rem, rather than being confined to the nine steel manufacturers named therein?

37. Ms. Divan, learned Senior Counsel appearing for the Appellants, submitted that the investigation under the Act is directed towards the alleged anti-competitive conduct and is not confined to the enterprises specifically named in the original complaint. She contended that the DG is competent to investigate the role of other enterprises whose participation in the alleged cartel emerges during the course of investigation. It was further submitted that proceedings under the Act are *in rem* in nature and that the direction under Section 26(1) of the Act is to investigate the matter as a whole, rather than the affairs of any particular enterprise.

38. Mr. Singhvi, learned Senior Counsel appearing for the Respondents, submitted that while the DG may, in an appropriate case, investigate enterprises not named in the original complaint, such power necessarily presupposes a validly initiated inquiry under Section 26(1) of the Act. It was contended that the original complaint dated 06.03.2021 concerned alleged cartelisation by nine steel manufacturers in the State of Tamil Nadu, whereas Rungta Mines Limited was neither named therein nor shown to have participated in the alleged conduct. According to learned Senior Counsel, the description of proceedings as *in rem* cannot confer an unrestricted authority upon the DG to investigate every steel manufacturer across the country, irrespective of the subject matter of the original complaint.

39. The legal position regarding the scope of investigation is substantially covered by various decisions of the Hon'ble Supreme Court and it has been made clear that although the complaint furnishes the starting point of the inquiry, the DG is not precluded from including other facts and the involvement of additional enterprises which emerge during investigation and disclose a possible contravention of the Act. Thus, the mere fact that an enterprise was not named in the original complaint does not, by itself, place such enterprise beyond the reach of investigation.

40. The aforesaid principle is consistent with the nature of competition proceedings explained by the Hon'ble Supreme Court in ***Samir Agrawal vs Competition Commission of India***, (2021) 3 SCC 136, as follows:

> "20. Clearly, therefore, given the context of the Act in which the CCI and the NCLAT deal with practices which have an adverse effect on competition in derogation of the interest of consumers, it is clear that the Act vests powers in the CCI and enables it to act in rem, in public interest. This would make it clear that a "person aggrieved" must, in the context of the Act, be understood widely and not be constructed narrowly, as was done in Adi Pherozshah Gandhi (supra)…
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> 22. Obviously, when the CCI performs inquisitorial, as opposed to adjudicatory functions, the doors of approaching the CCI and the appellate authority, i.e., the NCLAT, must be kept wide open in public interest, so as to subserve the high public purpose of the Act."

41. The Apex Court recognised that the CCI performs an inquisitorial function and exercises its powers *in rem*, having regard to the public interest in maintaining competition in the market. The object of such proceedings is to examine anti-competitive conduct and

its effect upon the market, rather than merely to determine the rights of the informant and the enterprises initially named in the complaint.

42. The expression *in rem*, however, does not imply that an inquiry concerning a particular industry automatically extends to every enterprise operating in that industry. It signifies that the investigation is directed towards the alleged anti-competitive conduct and may extend to other participants whose involvement in that conduct emerges during the course of investigation. The additional entities must, therefore, have a demonstrable nexus with the subject matter of the inquiry. The power to expand the investigation is not an authority to embark upon an altogether independent or unrelated inquiry.

43. In the instant case, the Appellants contend that the decision of the CCI dated 23.08.2021 to register Suo Motu Case No.02 of 2021 constituted a common direction to investigate the alleged cartelisation by steel manufacturers and was not confined to the nine enterprises named in the CCCWA complaint. In support of this contention, they rely upon the judgment of the Division Bench of the Calcutta High Court in ***Shyam Steel Industries Ltd. v. Union of India***, MAT No.967 of 2023 and MAT No.1157 of 2023, decided on 06.10.2026, which recognised the *in rem* character of the proceedings.

44. We are unable to accept, however, that the registration of a suo motu case, merely because it concerns alleged cartelisation in the steel industry, necessarily constitutes a blanket direction against every steel manufacturer across India. The scope of the investigation must be understood with reference to the subject matter of the complaint and the direction issued by the Commission. The principle so laid down permits the DG to follow the trail of evidence and examine additional

enterprises whose participation in the alleged anti-competitive conduct comes to light. It does not dispense with the requirement that such investigation must remain within the framework of a validly initiated inquiry.

45. Accordingly, we hold that the DG is not necessarily confined to the nine enterprises named in the original complaint and may investigate other enterprises whose involvement in the alleged cartel emerges during a valid investigation. A separate direction under Section 26(1) of the Act against each such enterprise is not, merely on that account, necessary. Nevertheless, the *in rem* character of the proceedings cannot be treated as an independent source of jurisdiction or as a substitute for a valid statutory direction.

46. In the present case, since we have already held that the minutes dated 23.08.2021 do not disclose the requisite independent formation of a prima facie opinion by the CCI, the Appellants cannot rely upon the wider scope of the DG's investigative powers to sustain the investigation against the Respondents. The distinction is between the permissible expansion of an investigation validly commenced and the absence of the statutory foundation for commencing it in the first place.

VI. Whether the investigation against Rungta Mines was vitiated by procedural irregularities or breach of natural justice, and whether the learned Single Judge was justified in quashing the investigation and consequential proceedings insofar as Rungta Mines and its Director were concerned?

47. We have already noticed that the name of Rungta Mines did not find place in the original complaint, the order of the Madras High Court or the minutes of the CCI dated 23.08.2021. The Appellants are right in contending that an enterprise cannot claim immunity from investigation merely because it was not named in the original complaint. Equally, the law laid down in ***Competition Commission of India v. Steel Authority of India Ltd.*** (supra), makes it clear that no prior notice or hearing is required to be afforded to an enterprise before the Commission forms its prima facie opinion under Section 26(1) of the Act. However, the Respondents' grievance is not merely that they were not heard before initiation of the investigation. It is also that Rungta Mines was treated as an Opposite Party without any identifiable order of the Commission or adherence to the procedure contemplated under Regulation 24 of the CCI (General) Regulations, 2009.

48. In this regard, it is significant that, in the course of the very same investigation, the Director General had sought and obtained the Commission's permission, by order dated 01.07.2025, to investigate certain associations which were not named in the original complaint. No corresponding order or procedure has been shown to have been followed in respect of Rungta Mines. The Appellants have not satisfactorily explained this difference in treatment. While the power to investigate additional enterprises cannot be disputed, the exercise of that power must remain within the statutory framework and cannot be equated with an unrestricted authority to bring an enterprise on record as an Opposite Party without following the prescribed procedure.

49. The decision in ***MRF Ltd. v. Competition Commission of India*** (supra), also lends support to the distinction between the absence of a right to hearing at the preliminary stage of investigation and the procedural fairness required when an entity is sought to be arrayed as an Opposite Party. In this regard, Mr. Singhvi submitted that formally identifying an enterprise as an Opposite Party in proceedings alleging cartelisation or anti-competitive conduct is not without consequence. It is capable of creating a prejudicial impression about the company's conduct of business and affecting its commercial reputation, even before any final finding of contravention is returned. While the mere initiation of a lawful investigation cannot, by itself, be treated as causing legal prejudice, the submission underscores the need for the authority to act transparently and in accordance with the procedure prescribed by law before formally placing an enterprise in that position.

50. We are, therefore, of the view that the learned Single Judge was justified in examining not only the absence of a valid jurisdictional foundation under Section 26(1) of the Act, but also the manner in which Rungta Mines was brought within the proceedings. The procedural infirmity assumes added significance when considered alongside our finding that the minutes dated 23.08.2021 do not disclose the requisite independent formation of a prima facie opinion by the CCI. The power of the Director General to extend an investigation to enterprises not named in the original complaint, as recognised in ***Excel Crop Care Ltd.*** (supra), presupposes an inquiry validly initiated in accordance with law. It cannot cure the absence of that foundational requirement.

51. For these reasons, we find no infirmity in the judgment of the learned Single Judge quashing the investigation arising out of Suo Motu Case No.02 of 2021, together with the consequential proceedings and measures, insofar as Rungta Mines Limited and its Whole-Time Director are concerned. The relief granted is confined to the Writ Petitioners and does not constitute any determination on the merits of the allegations against other enterprises or persons involved in the proceedings.

Conclusion

52. In view of the foregoing discussion, we are of the considered view that the order dated 29.07.2021 passed by the Madras High Court did not dispense with the statutory requirement under Section 26(1) of the Act, and that the minutes of the CCI dated 23.08.2021 do not sufficiently disclose an independent formation of the requisite prima facie opinion. We also hold that, although the DG is not necessarily confined to the enterprises named in the original complaint and may extend an investigation to other enterprises whose involvement emerges in the course thereof, such power presupposes an inquiry validly initiated in accordance with law. The procedural infirmities in the manner in which Rungta Mines Limited was brought within the proceedings further reinforce this conclusion. We, therefore, find no infirmity in the judgment of the learned Single Judge quashing the investigation arising out of Suo Motu Case No.02 of 2021, together with all consequential proceedings and measures, insofar as Rungta Mines Limited and its Whole-Time Director are concerned. The relief granted, however, remains confined to the Writ

Petitioners and shall not be construed as a determination on the merits of the allegations against the other enterprises or persons involved in the proceedings.

53. Accordingly, we find no ground to interfere with the impugned judgment.

54. The Writ Appeal is, accordingly, dismissed. The judgment and order dated 22.05.2026 passed by the learned Single Judge in W.P.(C) No.24391 of 2025 is affirmed. All pending interlocutory applications, if any, stand disposed of.

I, Agree.

(Harish Tandon)
Chief Justice

(Chittaranjan Dash)
Judge

AK Pradhan/Sarbani/Priyanka

Signature Not Verified
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