



For Kind Information
Collector

9/1/10

IN THE HIGH COURT OF ORISSA, CUTTACK
(Original Jurisdictional Cases)

W.P (C) No-.....18639/2010

Code-282003

In the matter of:

An application under Article 226 and 227 of the
Constitution of India.

And

In the matter of:

An application under the provisions of Orissa
Minor Minerals Concession Rules; 2004.

AND

In the matter of :

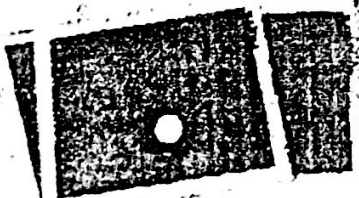
- Kalmat -
I Sri Binod Jaiswal aged about: 48 years,
S/o-Sevak Lal Jaiswal, At/P.C-Sarandaposh
P/S-Raghunath Palli Dist- Sundergarh.

..... Petitioner

Verse

1. Collector Sundergarh. At/Po-Sundergarh Dist-Sundergarh.
2. Sub Collector Panposh At/Po-Panposh Rourkela-12 Dist-
Sundergarh.
3. The Tabasildar Panposh, At/Po -Kuarmurda Rourkela
Dist- Sundergarh.

.....Opposite Parties



Presented in Court
No 1 & 2
ted vide or
28-1-10

B.O.

Dampatani Singh - Petitioner
vs.

State Coalmin. joint vent. & or. off party.

7.3.2012

Heard learned counsel for the parties.

2. The writ applications are disposed of in open Court today vide the order passed in separate sheets.

3. The operative portion of the order runs as follows.

4. For the reasons stated supra, the period of delay in executing the lease documents shall not be excluded from the period of lease. As per Rule 36 of the Rules, 2004, the lease period of one year from the date of agreement shall be given effect to. Hence, that period shall be added to the agreement and the petitioners shall be permitted to extract minor minerals from the sairats in question for a period of one year from the date of agreement. Therefore, it is open for the competent authority either to allow the petitioners to extract the minor minerals for a period of one year from the date of agreement or to refund the bid amount to the petitioners on pro rata basis.

5. With the aforesaid observation/directions the writ petitions are disposed of.

Free copy of this order be supplied to the learned Addl. Government Advocate for compliance.

V.G.

.....
V.Gopala Gowda, C.J

B.N.M.

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B.N.Mahapatra, J.