

(2025) 01 JH CK 0060

Jharkhand High Court

Case No: Writ Petition (C) No. 5421 of 2024

M/s. Karambi Stone Works

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision: Jan. 15, 2025

Hon'ble Judges: M. S. Ramachandra Rao, CJ; Deepak Roshan, J

Bench: Division Bench

Advocate: Ranjeet Kushwaha, Piyush Chitresh

Final Decision: Allowed

Judgement

M. S. Ramachandra Rao, C.J.

1. In this writ petition, petitioner challenges order dated 04.07.2023 passed by the Mines Commissioner, Ranchi terminating the mining lease granted to the petitioner prematurely.

2. Counsel for the petitioner contends that the explanation given by the petitioner to the show-cause notice has not been considered and that the inspection report on the basis of which the impugned order was passed was also not furnished to the petitioner and there was thus a violation of natural justice. Counsel for the petitioner also places reliance on the order dated 24.02.2020 in W.P(C) No. 5118 of 2019 and batch cases.

3. Counsel for the respondents does not dispute the contention of the counsel for the petitioner.

4. Therefore, this writ petition is allowed. The impugned order dated 04.07.2023 contained in Memo No.2158/MC/Ranchi dated 17.10.2023 passed by the Mines Commissioner, Ranchi is set-aside; matter is remitted to the said authority who shall furnish to the petitioner copy of the inspection report;

petitioner is permitted to file objections to the said inspection report within four weeks of furnishing of the same; a personal hearing shall also be provided to the petitioner and a reasoned order be passed by the said officer in accordance with principles of natural justice after considering the replies given by the petitioner to the show-cause notice. This exercise shall be completed within three months from the date of receipt of the copy of the order.