



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3331]

THURSDAY, THE ELEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 15289/2026

Between:

M/s Jaiprakash Power Ventures Limited

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.C SUMON

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.GP FOR MINES AND GEOLOGY

The Court made the following:

Heard Sri C.V.Mohan Reddy, learned Senior counsel assisted by Sri C.Sumon, learned counsel for the petitioner, learned Assistant Government Pleader for Mines and Geology for the respondents 1 to 3 and Sri M.Chandra Shekar, learned Assistant Government Pleader for Revenue for the 4th respondent.

Assailing the demand notice *vide* Notice No.728/Sand-APSAC/2025-2 dated 27.05.2026 (Ex.P2), issued by the 3rd respondent, the above writ petition was filed.

Learned Senior counsel would submit that the 3rd respondent lacks jurisdiction to issue Ex.P2. He would further submit that, along with the show cause notice *vide* No.728/Sand-APSAC/2025-2 dated 02.08.2025 (Ex.P4), all the relevant documents were not furnished to the petitioner. The explanation/reply dated 05.06.2026 (Ex.P3) submitted by the petitioner was not properly considered. Learned Senior counsel would also submit that no opportunity of hearing was provided to the petitioner.

Learned Government pleader, on the other hand, supported the order passed by the 3rd respondent.

Thus, as seen from the material available on record, the 3rd respondent issued a show cause notice dated 02.08.2025 (Ex.P4) to the petitioner. The petitioner submitted an explanation/reply dated 05.06.2026 (Ex.P3). In the explanation/reply, the petitioner specifically questioned the jurisdiction of the 3rd respondent. The petitioner also pleaded non-furnishing of the relevant documents.

As seen from the proceedings impugned, an opportunity of hearing was not provided to the petitioner. The Hon'ble Apex Court, in ***Mangilal v. State of Madhya Pradesh***¹, observed that the opportunity of being heard is a fundamental Principle of Natural Justice and cannot be denied, even in cases where a statute or set of rules does not explicitly provide for it.

The APSAC Report and the Joint Inspection Report, which constitute the basis for issuance of the notice, have not been furnished to the petitioner, enabling the petitioner to submit a proper explanation.

Whether the 3rd respondent had the jurisdiction requires consideration?

The petitioner has, therefore, made out a *prima facie* case for the grant of an interim order.

¹ (2004) 1 SCC 447

It is also brought to the notice of this Court that writ petitions wherein identical issues were raised are pending consideration before the Division Bench and that a batch of writ petitions involving similar questions is also pending.

Given the facts and circumstances of the case, there shall be a stay of all further proceedings pursuant to the demand notice *vide* Notice No.728/Sand-APSAC/2025-2 dated 27.05.2026 (Ex.P2).

List the matter along with W.P.No.23769 of 2024 and batch.

SUBBA REDDY SATTI, J
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