



2026:CGHC:17801

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1616 of 2026**

**1** - M/s M.M. Enterprises Through Proprietor Mahendra Kumar Mittal, S/o Late Shri Madanlal Mittal, Office/site Address- Vill- Karmanda, Tah. Baloda, Distt. Janjgir Champa, Chhattisgarh.

**2** - Mahendra Kumar Mittal S/o Late Shri Madanlal Mittal Aged About 57 Years R/o New Chandaniya Para, Ward No. 8, Janjgir, Tah. Janjgir, Distt. Janjgir Champa, Chhattisgarh.

**... Petitioners****versus**

**1** - State Of Chhattisgarh Through Secretary, Mining Department, Mahanadi Bhawan, Nawa Raipur, Raipur, Chhattisgarh.

**2** - Directorate Through Its Director, Geology And Mining Department, Block 04, Second Floor, Indrawati Bhawan, Nawa Raipur, Tah. And Distt. Raipur, Chhattisgarh.

**3** - Collector Janjgir, Distt. Janjgir Champa, Chhattisgarh.

**4** - Assistant Mining Officer Geology And Mining Department, Block 04, Second Floor, Indrawati Bhawan, Nawa Raipur, Tah. And Distt. Raipur, Chhattisgarh.

**... Respondents**


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For Petitioners : Mr. Ravindra Sharma, Advocate

For Respondents/State : Dr. Arham Siddiqui, Panel Lawyer

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**(Hon'ble Shri Justice Naresh Kumar Chandravanshi)****Order on Board****20.4.2026**

**1.** The petitioners have preferred this writ petition under Article 226 of the Constitution of India, seeking following relief(s):-

10.1 That this Hon'ble Court may kindly be pleased to issue a writ of MANDAMUS quashing/setting aside the impugned orders/notices dated 27.03.2026 passed/issued by the

respondent No.04 (Annexure P-1) and also may kindly be pleased to quash the entire proceeding concerned thereto.

10.2 That, this Hon'ble Court may kindly be pleased to issue any writ or direction or order as deem fit in the interest of justice.

2. Learned counsel for the petitioners submits that Crusher Plant of the petitioner was inspected by respondent No.4 on 27.3.2026 and on the same day, notice (Annexure-P/1) was served to him to submit his explanation on the alleged irregularities. He further submits that on the same day, Crusher Plant of the petitioner was also sealed by respondent No.4, alleging violation of the provisions of the *Chhattisgarh Minerals (Mining, Transportation and Storage) Rules, 2009* (for short 'the Rules 2009'). Subsequently second notice was also served to the petitioner on the same day, alleging therein that the petitioner has violated terms of the agreement, thereby contravened the provisions of the *Chhattisgarh Minor Mineral Rules, 2015* (for short 'the Rules 2015'). Learned counsel further submits that the petitioner filed reply to both the notices on 01.4.2026. It is further submitted that said inspection was carried out by respondent No.4 in absence of an authorized person of the petitioner-firm, as during inspection, petitioner No.2 was in Mumbai for treatment of his wife, who is suffering from cancer. Learned counsel for the petitioner further submits that on the same day, two other crusher plants were also sealed by respondent No.4, however, one of them has been subsequently released, but since the petitioner filed petition, hence, his plant has not been released. Hence, it is prayed that this petition may be disposed of directing the concerned authority to release the crusher plant of the petitioner from sealing and respondent No.4 be directed to consider the reply filed by the petitioner and pass order in accordance with law.

3. In reply learned counsel for the State submits that proceedings have been carried out in consonance with Rule 71 (2) of the Rules 2015, therefore, sealing may not be released. However, reply filed by the petitioner will be considered expeditiously.
4. Heard learned counsel for the parties and perused the material available on record.
5. A perusal of the record shows that an inspection was carried out in the Crusher Plant of the petitioner on 27.3.2026 and on the same day, both the notices were served to the petitioner, and the crusher plant was also sealed by respondent No.4 on the same day alleging therein that the petitioner has violated the terms of the agreement as well as the provisions of the Rules 2009 and the Rules 2015. Though various violations have been alleged in the notices, but sealing of the crusher plant of the petitioner on the same day, without affording due opportunity of hearing, does not appear to be in consonance with aforesaid Rules. Therefore, this petition is disposed of directing respondent No.4 to release sealing of the crusher plant of the petitioner within a period of **two days** from today. It is further directed that reply filed by the petitioner shall be considered and a reasoned order be passed in accordance with law within a period of **15 days** from today. It is made clear that this order shall not preclude respondent No.4 from passing appropriate order in accordance with applicable law/rules, after considering the reply filed by the petitioners.
6. Accordingly, this petition stands disposed of to the extent indicated herein above.
7. Pending interlocutory application(s), if any, stands disposed of.

**Sd/-**  
**(Naresh Kumar Chandravanshi)**  
**Judge**