

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 4443 of 2022**

- M/s Maa Mahamaya Industries Limited, A Company Registered Under Companies Act, Having Its Registered Office At Industrial Ward, Dhamtari Chhattisgarh. Through Its Chairman- Cum- Managing Director Mr. Ashok Agrawal, Aged About 60 Years, S/o Sri Vidya Sagar Agrawal, 7-5-84/35 Flat No. 301, Pine Wood, Jasti Square Apartments, Beach Road, Beside Pandurangaswamy Temple, Panduranga Puram, Visakhapatnam (Urban) Through Its Power Of Attorney Holder Chandra Dewangan, Aged About 32 Years, S/o Shri Parmeshwar Dewangan, R/o Rd-8, Anjani Vihar, Chantidih Dabri Para, Bilaspur, District : Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary- Department Of Mineral Resources Mahanadi Bhawan Mantralaya, New Raipur, District : Raipur, Chhattisgarh
2. Chhattisgarh Mineral Development Corporation Limited, A Company Registered Under Companies Act, 1956/2013 And Having Its Registered Office At Sector-24, Office Block-7A, Nava Raipur, Atal Nagar, Raipur Chhattisgarh Through Its Managing Director
3. Collector/District Magistrate Kanker, North Bastar ,Chhattisgarh.
4. Mining Officer Kanker, North Bastar, Chhattisgarh.

---- Respondents

16.11.2022	Mr. Vivek Tankha and Dr. N. K. Shukla, Sr. Advocate, with Mr. Arjit Tiwari, & Mr. Vipul Tiwari, Advocate, for petitioner.



Mr. Chandresh Shrivastava, Addl. Advocate General, for State/respondents 1, 3 & 4.

Mr. S. C. Verma, Sr. Advocate with Mr. Vikram Sharma, counsel for respondent no.2.

The petition is admitted for hearing.

The reply of respondent no.2 is already on record.

Let reply be filed by the State counsel within a period of 4 weeks.

Heard on I.A. No.02 which is an application for grant of interim relief.

Considering the reply that has been filed by the respondent no.2 in which there is a correspondence which the respondent no.2 has made with the respondent no.1 on 02.08.2022 i.e. much subsequent to the demand notice Annexure P-2 that has been raised by the respondent no.2 to the petitioner, this Court is of the opinion that prima facie the respondent no.2 itself has expressed their doubt on the applicability of the said provision and in respect of the demand notice so raised against the petitioner's establishment. Thus, a strong case for grant of interim relief has been made out.

Accordingly, the respondents are restrained from initiating any coercive steps against the petitioner pursuant to Annexure P-2 dated 30.07.2021 or any other demand notice of similar nature, till the next date of hearing.

**Sd/-
(P. Sam Koshy)
JUDGE**