

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P (C) No. 1725 of 2022

GRANDS MINING, (A Partnership firm), having its office at GE/16, City Centre, Sector-4, Bokaro Steel City, P.O. and P.S. Bokaro, District Bokaro; through its Partner Bhupendra Kumar Singh, aged about 47 years, son of Ram Janam Singh, resident of Bhagwati Colony, Jodhadih More, Chas, P.O. and P.S. Chas, District Bokaro (Jharkhand) --- --- Petitioner

Versus

1. The State of Jharkhand,
through its Secretary, Department of Industries, Mines and Geology, having its office at Yojna Bhawan, P.O. and P.S. Doranda, District Ranchi (Jharkhand), PIN 834 002
2. The Secretary,
Road Construction Department, Government of Jharkhand, having its office at Jharkhand Mantralaya (Project Building), PO. Dhurwa, P.S. Jagannathpur, District Ranchi (Jharkhand), PIN 834 004
3. The Director,
Mines Directorate, Department of Mines and Geology, Government of Jharkhand, having its office at Yojna Bhawan, P.O. & P.S. Doranda, District Ranchi (Jharkhand), PIN 834 002
4. Deputy Commissioner, Pakur,
having its office at District Collectorate, Pakur, P.O. & P.S. Pakur, District Pakur, (Jharkhand)
5. District Mining Officer, Pakur,
having its office at District Collectorate, Pakur, P.O. & P.S. Pakur, District Pakur, (Jharkhand) --- --- Respondents

CORAM: **Hon'ble The Chief Justice**
Hon'ble Mr. Justice Rajesh Shankar

For the Petitioner: Mr. Sumeet Gadodia, Advocate
Ms. Shruti Shekhar, Advocate
Ms. Sanya Kumari, Advocate
Ms. Nidhi Lall, Advocate
For the Resp.-State: Mr. Sachin Kumar, A.A.G-II

02 / 21.01.2026 Heard learned counsel for the parties.

2. This petition was from the group of petitions including **Triveni Engicons Private Limited versus State of Jharkhand and others** reported in [2025 SCC OnLine Jhar 3236]. The batch of petitions were allowed by a detailed judgment and order dated 24th September 2025 by the Coordinate Bench of Hon'ble the Chief Justice Tarlok Singh Chauhan and Hon'ble Mr. Justice Rajesh Shankar (one of us).
3. Learned counsel for the parties agree that this particular petition, got left out of the batch. They also agree that the issue raised in this petition is squarely

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covered by the decision in **Triveni Engicons Private Limited (Supra)** and connected matters.

4. Therefore, by adopting the reasoning in **Triveni Engicons Private Limited (Supra)**, we allow this petition in terms of paragraphs 118 to 120 of the judgment and order in **Triveni Engicons Private Limited (Supra)** and other connected matters, which read as follows:

“**118.** In view of the discussions made hereinabove, we are of the view that the Rules, 2021 and the subsequent amendments made thereto with respect to levy of toll in the nature of “Composition User Fee” on transportation of minerals through mechanical vehicles for using the state roads or commuting in mining areas is beyond the scope of the provisions of section 2 of the Act, 1851 and as such the same is struck down.

119. Since the petitioners have succeeded on the main issue itself, there is no need to delve into the other issues raised by them in the present batch of writ petitions and the same are left open to be decided in any other suitable case.

120. So far as the claim for refund of the payment of “Composition User Fee” already made by the petitioners is concerned, since they are either the dealers or are engaged in construction work and regularly dealing with the minor minerals, the respondents are directed to adjust the amount, if any, paid by them towards their existing or future liability.”

5. There shall be no order for cost.

(M.S. Sonak, C.J)

(Rajesh Shankar, J)

January 21, 2026

Ranjeet/R. Kr.
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