

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil Writ Petition No. 7715/2025

Pacific Industries Limited

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. Akhilesh Rajpurohit
For Respondent(s)	:	Mr. Mahaveer Bishnoi, AAG assisted by Mr. Gaurav Bishnoi

JUSTICE DINESH MEHTA

Order

03/07/2025

1. Mr. Akhilesh Rajpurohit, learned counsel for the petitioner submits that the stipulation given in the order dated 09.05.2024 as subsequently modified by the order dated 27.05.2025 passed by Hon'ble the Supreme Court only puts an embargo on excavation or winning the minerals. However, as far as grant of composite license, prospecting license and execution of mining lease are concerned, there is no such restriction.
2. He submitted that the petitioner has been found to be a preferred bidder and a license has been issued and therefore, a mandamus be issued to the State Government directing it to at least grant the petitioner, a composite license so that it can commence prospecting activities and assess the availability of the minerals including its approximate percentage/quantity, which will ultimately facilitate the State Government.

3. Mr. Mahaveer Bishnoi, learned Additional Advocate General appearing for the State submitted that the writ petition is premature as no final order in terms of Hon'ble the Supreme Court's orders has yet been passed by the State Government.

4. He submitted that unless a final order refusing him to issue composite license is passed, the petitioner has no cause of action to approach this Court.

5. Having heard learned counsel for the parties, this Court is of the prima-facie opinion that so far as the above referred orders of Hon'ble the Supreme Court are concerned, they restrain the State Government from carrying out mining activities and in issuing a final order directing the mining lease holder to carry out excavation of the minerals, however, there is no impediment in issuing composite license, prospecting license and undertaking the process which are pre-requisite for grant of mining lease, including environment clearance, subject of course to the order of Hon'ble the Supreme Court.

6. According to this Court, if the State grants the petitioner and other similarly situated preferred bidders the necessary requisite license, it would save considerable time that would otherwise be required for prospecting and exploring the availability of the mineral resources. Such activities, including prospecting if carried out by scientific methods without disturbing the environment, would not be defiance of the directions of Hon'ble the Supreme Court.

7. Mr. Mahaveer Bishnoi, learned Additional Advocate General prays for and is granted ten days' time to complete his instructions in light of the observations made hereinabove.

8. List this case on 14.07.2025.

(DINESH MEHTA),J

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