

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 14645/2021

1. Nuvoco Vistas Corporation Ltd., Having Its Registered Office At Equinox Business Park, Tower 3, East Wing, 4Th Floor, Lbs Marg, Kurla (West) Kurla Mumbai City Mh 400070 In And One Of Its Manufacturing Unit At Village Nimbol, Tehsil Jaitaran, District Pali Rajasthan Through Its Authorized Signatory Mr. Parixit Khiriyia S/o Kailash Danji, Aged 41 Years, Resident Of Geeta Bhawan Colony, Tehsil Jaitaran, District Pali, Rajasthan.
2. Nirma Limited, Having Its Registered Office At Nirma House Ashram Road, Nr. Income Tax Circle, Ahmedabad 380009 Through Its Parixit Khiriyia S/o Kailash Danji, Aged 41 Years, Resident Of Geeta Bhawan Colony, Tehsil Jaitaran, District Pali, Rajasthan.

-----Petitioners

Versus

1. The State Of Rajasthan, Through Additional Chief Secretary, Mines And Petroleum Department, Government Of Rajasthan, Secretariat, Jaipur.
2. The Secretary, Mines (Group-2) Department, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
3. The Director, Directorate Of Mines And Geology, Government Of Rajasthan, Udaipur.
4. The Superintending Mining Engineer, Directorate Of Mines And Geology, Government Of Rajasthan, Udaipur.
5. The Mining Engineer, Directorate Of Mines And Geology, Government Of Rajasthan, Sojat City, Pali.

-----Respondents

Connected With

S.B. Civil Writ Petition No. 6784/2018

1. Nirma Limited, Having Its Registered Office At Nirma House, Ashram Road, Nr. Income Tax Circle, Ahmedabad And One Of Its Manufacturing Unit At Village Nimbol, Tehsil Jaitaran, District Pali, Rajasthan.
2. Shri Rakesh Karsanbhai Patel, A Shareholder Of Nirma Limited, Residing At Nima Farms, S.g. Highway, Makarba, Ahmedabad-380058, Gujarat.

-----Petitioners

Versus

1. The State Of Rajasthan Through The Principal Secretary, Mines And Petroleum Department, Govt. Of Rajasthan, Having Its Office At Secretariat, Jaipur At Rajasthan.
2. Director, Mines And Geology, Government Of Rajasthan, Khanij Bhawan, Udaipur-313001.
3. Superintending Mining Engineer H.q. Ii, Udaipur, Mines And Geology, Government Of Rajasthan Khanij Bhavan, Udaipur-313001.

-----Respondents

For Petitioner(s)	:	Mr. Krishnan Venugopal, Sr. Advocate with Mr. Vikas Balia
For Respondent(s)	:	Mr. Sandeep Shah, AAG with Ms. Akshiti Singhvi

JUSTICE DINESH MEHTA**Order****27/10/2021**

1. Petitioner company has challenged the order dated 10.8.2021 whereby its right of getting mining lease has been declared to be lapsed by the State as per the provisions of 10A(2) (B) of MMDR Act.
2. Mr. Sandeep Shah, learned AAG appearing for the respondent-state prays for 10 days' time to file reply.
3. List this case on 9.11.2021.
4. For the period interregnum in order to pray interim relief, Mr. Krishanan Venugopal, learned Senior Counsel appearing for the petitioner submits that consequent to the order impugned, on the one hand, petitioner's excavation and business rights will be severely affected and on the other hand, it will hit the petitioner company on various fronts- a

company, which has invested a sum of Rs.2000 crore to establish a cement unit on the basis of the conditions of prospecting license granted to it.

5. The petitioner's apprehensions appear to be well founded.
6. Till then, the respondent-State will not create any 3rd party rights in relation to the area covered by prospecting license in question.

61-CPGoyal/-

(DINESH MEHTA),J



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