

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

S.B. Civil Writ Petition No. 14366/2026

CNR: RJHC010655952026

URN: CW / 26221U / 2026

Nirmala Devi W/o Shri Prem Singh, Aged About 61 Years, R/o
Near Vidhyashala School, Jodhpur, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Mines And
Geology Department, Government Of Rajasthan,
Secretariat, Jaipur.
2. Director, Mines And Geology Department, Udaipur.
3. The Superintending Engineer, Mines And Geology
Department, Jodhpur.
4. Mining Engineer, Mines And Geology Department,
Jodhpur.
5. Assistant Mining Engineer, (Recovery) Mines And Geology
Department, Jodhpur.

-----Respondents

For Petitioner(s) : Mr. Arvind Vyas

For Respondent(s) : Mr. Lalit Pareek

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

16/07/2026

1. Learned counsel for the petitioner submits that vide notice dated 21.03.2025, penalty for non-submission of mining lease was imposed upon petitioner.
2. Aggrieved thereby, petitioner preferred an appeal before Learned Additional Director (Mines), Udaipur. Learned counsel for the petitioner submits that appeal so preferred by petitioner, so also the stay application filed along with the same are still pending

consideration before learned Appellate Authority and has not been decided.

3. However, in the meantime, Assistant Mining Engineer (Recovery), Mines & Geology Department, Jodhpur, vide notice dated 23.06.2026, has directed to attach bank account of the petitioner and no withdrawal of any amount shall be permitted without prior permission.

4. Learned counsel for the petitioner submits that in case, respondent authorities are permitted to proceed with recovery of penalty amount imposed upon petitioner, without awaiting the outcome of stay application already been filed along with appeal, the very purpose of statutory remedy of appeal would be frustrated.

5. Heard learned counsel for the petitioner.

6. Learned counsel for the petitioner is directed to file an application before learned appellate authority seeking early disposal of stay application filed along with appeal. In case said application is filed by petitioner, it is expected of learned Appellate Authority to consider and decide the same within a period of three weeks from the date of receipt of such application, independently, in accordance with law.

7. Learned counsel for the petitioner is directed to supply a copy of the writ petition to learned counsel Mr. Lalit Pareek, who appears for all the respondents.

8. Learned counsel for the respondents seeks time to complete his instructions and file reply to writ petition.

9. Time prayed for is granted.

10. List the matter after four weeks after showing the name of Mr. Lalit Pareek as counsel for the respondents in the cause list.
11. Till the decision of appellate authority on stay application before it, further proceedings in pursuance of order dated 23.06.2026 (Annexure-6) shall remain stayed.
12. It will be open for respondents to apply for modification/vacation of interim order.

(MUKESH RAJPUROHIT),J