



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

D.B. Civil Writ Petition No. 17562/2025

M/s Riddhi Siddhi Associates, Having Registered Office At 405,
Vardhman Complex, Bhopalpura, Udaipur, Rajasthan, Through
Authorized Signatory, Mr. Durgesh Tak, Aged About 61 Years, S/o
Mr. Surendra Kumar Tak, R/o 181/280, Sector 18, Ward No. 33,
Sanganer, Jaipur

----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary,
Department Of Mines And Geology, Government Of
Rajasthan, Government Secretariat, Jaipur.
2. The Director, Department Of Mines And Geology, Khanij
Bhawan, Udaipur.
3. Assistant Mining Engineer, Department Of Mines And
Geology, Rishabdeo, Rajasthan.

----Respondents

Connected With

1. D.B. Civil Writ Petition No. 17591/2025
2. D.B. Civil Writ Petition No. 17624/2025
3. D.B. Civil Writ Petition No. 17645/2025
4. D.B. Civil Writ Petition No. 18282/2025
5. D.B. Civil Writ Petition No. 18313/2025
6. D.B. Civil Writ Petition No. 18316/2025
7. D.B. Civil Writ Petition No. 18326/2025
8. D.B. Civil Writ Petition No. 18330/2025
9. D.B. Civil Writ Petition No. 18351/2025
10. D.B. Civil Writ Petition No. 18376/2025
11. D.B. Civil Writ Petition No. 18795/2025
12. D.B. Civil Writ Petition No. 19024/2025
13. D.B. Civil Writ Petition No. 20263/2025
14. D.B. Civil Writ Petition No. 20525/2025

For Petitioner(s)	:	Mr. Ankur Mathur
For Respondent(s)	:	Mr. Mahaveer Bishnoi, AAG Mr. Piyush Bhandari

**HON'BLE MR. JUSTICE ARUN MONGA
HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL**

04/05/2026

Per: Arun Monga, J.

1. The aforesaid bunch of writ petitions are being disposed of with the instant order as the issue involved therein is akin. For the sake of brevity, facts are being taken from D.B. Civil Writ Petition No. 17562/2025.
2. The petitioner engaged in the business of royalty collection, is before this Court aggrieved by the action of the respondents in revising the contract amount, who, without considering the relevant developments in the concerned area, issued an order dated 24.07.2025 revising the entire contract value i.e. Rs. 12,00,68,700/- to Rs. 13,86,72,538/- and further directing the petitioner to deposit the differential amount without factoring the period when no mining took place.
3. The respondents justify their action by invoking Rule 44(16) of the Rajasthan Minor Mineral Concession Rules, 2017, which provides that temporary or permanent closure of mining leases shall not affect the annual contract amount. The petitioner challenges the applicability of this provision, contending that it leads to an impossibility of performance and is contrary to the very nature of royalty, which is chargeable only upon actual extraction of minerals.
4. Learned counsel for the petitioner submits that the impugned demand arising from the revised contract amount is wholly unsustainable as no mining operations were carried out in the concerned area during the period of strike and protests by mining leaseholders.

4.1 He contends that in the absence of excavation, dispatch, or consumption of minerals, no royalty, DMFT, or RSMET could have accrued, and consequently, the very basis for collection under the ERCC contract ceased to exist.

4.2 He further submits that the petitioner, being only a collecting agent of statutory levies, cannot be saddled with liability when the underlying mining activity itself was suspended. He argues that the impugned action is contrary to the settled legal position regarding the nature of royalty as a levy linked to actual extraction, and also amounts to enforcement of an impossible obligation.

4.3 He further contends that the issue is squarely covered by the judgment in D.B. Civil Writ Petition No. 13669/2025 titled M/s Galaxy Mining Private Limited vs. State of Rajasthan, wherein similar circumstances of suspension of mining activity were considered and relief was granted by directing acceptance of bank guarantees for the disputed period.

5. Learned counsel for the respondents, while denying the submissions made by learned counsel for the petitioner and opposing the writ petition, submits that the impugned action is justified and in accordance with the applicable rules. However, he fairly states that the issue involved in the present case is covered by the judgment relied upon by learned counsel for the petitioner titled M/s Galaxy Mining Private Limited vs. State of Rajasthan (*supra*).

6. In the aforesaid backdrop, we have heard learned counsels appearing on behalf of the respective parties and gone through the record.

7. What is not disputed herein is the fact that the controversy involved in the instant bunch of petitions is same as was in the case of ***M/s. Galaxy Mining Private Limited vs. State of Rajasthan; D.B. Civil Writ Petition No. 13669/2025***, which was originally disposed of on 04.09.2025 by a Division Bench of this Court at Jaipur.

8. Subsequently, even a review petition was filed and the original order dated 04.09.2025 was modified. The review order dated 17.04.2026 being relevant is reproduced hereinbelow:

“8. We have considered the submissions and found that the order dated 04.09.2025 was passed after hearing the learned counsels for both the parties and it was neither brought to the knowledge about the nature of mining nor we have given any notice to the said aspect. The only aspect we have noticed is that the Rule 44(16) of the Minor Mineral Concession Rules, 2017 is under challenge and is a subject matter of the examination by the Supreme Court in an SLP. However, the new facts which are being sought to be urged by the State have been noted. Even then, we find that the State too admits that there was strike during the period for which the demands were raised, the other demands have already been satisfied.

9. We direct that a bank guarantee may be accepted for the intervening period of the demand raised from 02.08.2025 to 19.08.2025 and if such a bank guarantee is given, the same shall be accepted and shall be utilized only as per the orders passed by the Hon'ble Supreme Court.”

9. In light of the aforesaid, on a query put to the learned counsel representing the State as to whether the aforesaid review order has been implemented, he submits that the same has since been passed recently, he is, therefore, unable to inform about the present fate of the same.

10. Be that as it may, since it is not disputed that the controversy involved in the present bunch of writ petitions is

identical to that which was considered and adjudicated in M/s. Galaxy Mining Private Limited vs. State of Rajasthan (supra), we are of the view that the present bunch of writ petitions can also be disposed of in the same terms as the review order, *ibid*.

11. It is so ordered accordingly.
12. Needless to say, the present order shall remain subject to the review order attaining finality and in the event it is modified or set aside similar shall then be the fate of all the petitioners herein i.e. they sink or swim together, as the case may turn out to be eventually.
13. In the parting, it is further clarified that the bank guarantees to be furnished shall be duly verified by the respondents strictly with reference to the respective strike periods applicable to each petitioner. In the course of hearing, learned counsel for the petitioner has also placed reliance upon a tabulated chart indicating the respective strike periods in the connected matters, which is reproduced hereinbelow for ready reference:-

JODHPUR			
DB CWP No.	Petitioner	Respondent Department	Period of Strike
17562/2025	Riddhi Siddhi Associates	AME-Rishabdeo	01.08.2025 – 23.08.2025
17645/2025	Riddhi Siddhi Associates	ME-Udaipur	01.08.2025 – 23.08.2025
17591/2025	Coral Associates	ME-Sirohi	07.08.2025 – 24.08.2025
17624/2025	Riddhi Siddhi Associates	ME-Rajsamand (I)	01.08.2025 – 23.08.2025
18313/2025	Devdashrath Infratech	ME-Sojat City	08.08.2025 – 20.08.2025
18316/2025	Choudhary Brothers	ME-Bhilwara	02.08.2025 – 23.08.2025
18326/2025	Devdashrath Associates	ME-Churu	27.07.2025 – 27.08.2025
18330/2025	Choudhary Brothers	ME-Sojat City	08.08.2025 – 20.08.2025

18351/2025	Devdashrath Associates	ME-Jodhpur	01.08.2025 – 23.08.2025
18376/2025	Devdashrath Associates	ME-Bikaner	24.07.2025 – 10.08.2025
18282/2025	Choudhary Brothers	ME-Nagaur	02.08.2025- 23.08.2025
18795/2025	Mahadev Enclave	AME-Churu	28.07.2025 – 27.08.2025
19024/2025	Galaxy Mining	ME-Bijoliya	01.08.2025 – 14.08.2025
20263/2025	Green Star Minerals	ME-Udaipur	01.08.2025 – 19.08.2025
20525/2025	Mahipal Singh	ME-Sirohi	01.08.2025 – 19.08.2025

14. It is made clear that the aforesaid chart shall be subject to verification by the competent authority of the respondents, and appropriate action in accordance with law shall be taken thereafter in terms of the present order.

15. Pending application, if any, also stands disposed of.

(MAHENDAR KUMAR GOYAL),J

(ARUN MONGA),J