HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

D.B. Civil Writ Petition No. 18351/2025

M/s Devdashrath Associates, Having Registered Office At 303, Ashapurna Tower, Paota A Road, Jodhpur (Rajasthan) 342001, Through Its Partner Shri Kuldeep Pratap Singh Bhati Aged About 37 Years, S/o Shri Mahendra Singh Bhati, R/o 11, Mahendra Singh Ji Ki Haveli Ke Paas, Village Ummed Nagar, Mathania, Jodhpur, Rajasthan

----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. Mining Engineer, Department Of Mines And Geology, Jodhpur, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Harshvardhan Thanvi Mr. Sandeep Singh Shekhawat through VC
For Respondent(s)	:	Mr. Mahaveer Bishnoi, AAG

HON'BLE MR. JUSTICE DINESH MEHTA
HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

18/09/2025

1. In this case, *pari materia* provision contained in Rule 44(16) of the Rajasthan Minor Mineral Concession Rules, 2017 is under challenge. Considering that the validity of *pari materia* Rule 37-A(xvi) of the Rajasthan Minor Mineral Concession Rules, 1986 is pending consideration before Hon’ble the Supreme Court, we deem it appropriate to admit this petition and dispose of the stay

application by directing the respondents not to take coercive measures against the petitioner for recovery of the demand for the period during which the mining activities remained closed/non-operational.

2. D.B. Civil Misc. Stay Application No.18998/2025 is, therefore, disposed of.

3. The matter is admitted.

4. Admit. Issue notice.

5. Mr. Mahaveer Bishnoi, learned Additional Advocate General accepts notice on behalf of the respondents.

6. List the case for hearing in March, 2026.

7. During the pendency of the present writ petition, the respondent – State shall stand restrained from recovering the amount for the period during which, the mining operations remained stopped because of the protest by the mining lease holders or on any other count or reason not attributable to the petitioner.

(SANDEEP TANEJA),J **(DINESH MEHTA),J**

44-Hanuman/-