

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3181/2026

Dev Juneja S/o Shri Subhash Juneja, R/o Plot No.949, Sector-31. Gurgaon (Haryana) Through His Power Of Attorney Holder Triloki Nath Sharma S/o Shri Krishan Hari Sharma, Aged About 48 Years, R/o 56, Yaduraj Nagar, Bharatpur (Raj.).

----Petitioner

Versus

1. State Of Rajasthan, Through Additional Chief Secretary, Department Of Mines And Petroleum, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.).
2. Additional Director, Department Of Mines And Geology. Kota Zone, Kota (Raj.).
3. Mining Engineer, Department Of Mines And Geology. Bharatpur (Raj.).

----Respondents

For Petitioner(s)	:	Mr. Anurag Sharma with Mr. Akshat Sharma
For Respondent(s)	:	Mr. Rahul Lodha, AGC

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

16/03/2026

The present writ petition has been filed being aggrieved by order dated 04.12.2025 passed by the Additional Director (Mines), Mines and Geology Department, Kota Zone, Kota, and the order dated 22.03.2024 passed by the Mining Engineer, Mines and Geology Department, Bharatpur, vide which a demand of Rs. 1,19,00,000/- has been fastened upon the petitioner.

Mr. Anurag Sharma, Advocate, learned counsel for the petitioner vehemently submits that a bare perusal of the findings recorded in the impugned order dated 04.12.2025 reveals that the

same is solely based upon assumptions and presumptions and in fact, the finding recorded therein is that the petitioner has failed to justify that the illegal mining was not carried out by him. However, no finding has been recorded as to how the respondents have arrived at the conclusion that the illegal mining was carried out by the petitioner.

Learned counsel for the petitioner further submits that for imposition of penalty under Rule 54 of the Rajasthan Minor Mineral Concession Rules, 2017, it is a prerequisite that a definite finding has to be arrived at by the respondents with respect to illegal mining having been carried out by the petitioner, which is absolutely lacking in the present case.

Taking note of the above, issue notice to the respondents, returnable within four weeks.

Mr. Rahul Lodha, learned AGC, puts in appearance on behalf of all the respondents.

Hence, service is complete and notice need not be filed.

He prays for and is granted four weeks' time to file reply to the writ petition.

List the matter on 27.04.2026.

Till the next date, effect and operation of the order dated 22.03.2024 and 04.12.2025 shall remain stayed.

(ANUROOP SINGHI),J