

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Civil Writ Petition No.3513/2025

Smt Asha Lata Bairwa, Wife Of Late Shri Dwarka Prasad Bairwa  
(Died) through Legal Representatives

-----Petitioner

Versus

State Of Rajasthan & Others

-----Respondents

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|                   |   |                                                                                        |
|-------------------|---|----------------------------------------------------------------------------------------|
| For Petitioner(s) | : | Mr. Kamlakar Sharma, Senior<br>Advocate assisted by<br>Mr. Madhusudan Singh Rajpurohit |
| For Respondent(s) | : | Mr. Jayvardhan Joshi<br>Mr. Lalit Bhardwaj for<br>Mr. Bharat Vyas, AAG                 |

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**JUSTICE ANOOP KUMAR DHAND**

**Order**

**19/05/2025**

1. Learned counsel for the petitioners submits that an inspection of the mining area of the petitioners was done wherein it was alleged that the petitioners are doing illegal mining and on the basis of the same, the impugned recovery orders have been passed against the petitioners. Learned counsel submits that as per google maps, the three alleged pits were already present there on the spot since 2012, hence under these circumstances, with no stretch of imagination, it can be believed that the illegal mining activity has been done at the instance of the petitioners.

2. Learned counsel submits that the recovery orders have been initiated against the petitioners, though there is a provision of Amnesty Scheme where the entire demand can be waived, if 25% of the amount as one time settlement is deposited but the petitioners are not agreeing to the same.

3. *Per contra*, learned counsel for the respondents opposed the arguments raised by learned counsel for the petitioners and submitted that illegal mining activities were done by the petitioners and minerals were excavated and transported without taking e-rawanna and prior permission. Learned counsel submits that inspection was done in the presence of the authorized representatives of the petitioners and, accordingly, the said inspection report was prepared and recovery notices were issued.
4. Various versions and cross-versions have been made with regard to activities on the spot.
5. The matter requires consideration.
6. The petitioners are directed to deposit the entire 20% of the total outstanding amount within a period of four weeks from today.
7. In case, the petitioners comply with the order passed by this Court within the above stipulated time, the remaining recovery proceedings initiated against the petitioners shall remain stayed till next date.
8. List this case on 07.07.2025.

(ANOOP KUMAR DHAND),J