

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 5052/2026

M/s Chandana Marble Private Limited

-----Petitioner

Versus

State Of Rajasthan & Ors.

-----Respondents

For Petitioner(s)	:	Mr. A.K. Sharma, Senior Counsel with Mr. Rachit Sharma, Mr. Madhav Dadhich and Mr. Mohit Soni
For Respondent(s)	:	Mr. Rahul Lodha, AGC

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

17/03/2026

The present writ petition has been filed by the petitioner challenging the order dated 12.03.2026 passed by Joint Secretary to Government, Mines Department, Jaipur, vide which the revision petition filed by the petitioner against the order dated 08.05.2025 passed by the Office of the Additional Director (Mines), Department of Mines & Geology, Jaipur Region, Jaipur, cancelling the mining lease of the petitioner being Mining Lease No.48/2002 at Mines Marble, Near Village Ganeshpura, Tehsil Sawar, District Ajmer, has been dismissed solely on ground of it being barred by limitation.

The impugned order refers to the provisions of Rule 64(2) of the Rajasthan Minor Mineral Concession Rules, 2017, which provides that a revision shall be filed within three months from the date of the communication of the order and the said period can be further extended, but not beyond six months from the date of the order revisioned against.

Mr. A.K. Sharma, learned Senior counsel, assisted by Mr. Rachit Sharma, Advocate, submits that the order dated 12.03.2026 is bad in law on various grounds including the fact that the purported delay does not exist, as firstly, the order dated 08.05.2025 was never served upon the petitioner and it was only when the petitioner filed an application under the Right to Information Act, 2005, the said order dated 08.05.2025 was served upon it on 04.08.2025 and secondly, the order dated 08.05.2025 was passed solely on the premise that the penalty imposed upon the petitioner vide order dated 26.12.2023 was not paid by it, whereas this Court vide its order dated 28.05.2025 in ***S.B. Civil Writ Petition No.14404/2024***, titled as ***M/s Chandana Marble Private Limited Vs. State of Rajasthan & Ors.*** has quashed the order dated 26.12.2023 and thus, once the basis of passing of the order dated 08.05.2025 stood quashed, there was no occasion to further sustain the order dated 08.05.2025.

Learned Senior counsel also submits that as the respondents have introduced an amnesty scheme, though the challenge to the order dated 08.05.2025 was made, however, the same was withdrawn vide order dated 25.08.2025 solely with the intent to invoke the amnesty scheme and in consequence thereto even an amount of Rs.6,45,08,390/- was deposited by the petitioner, in consequence to which, even a No Dues Certificate was issued by the respondents to the petitioner.

Learned senior counsel further submits that the factum of the order dated 08.05.2025 was not even communicated by the learned counsel for the respondent – Department to this Court

when the matter was heard on 28.05.2025, which confirms the stand of the petitioner that the order dated 08.05.2025 was never served upon him.

Taking note of the facts, issue notice to the respondents.

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

Hence, service is complete.

Learned counsel for the respondents prays for and is granted six weeks time to complete his instructions and to file reply.

In the meanwhile and till further orders, the effect and operation of the orders dated 12.03.2026 and 08.05.2025 shall remain stayed.

List the matter on 05.05.2026.

(ANUROOP SINGHI),J