

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

S.B. Civil Writ Petition No. 5920/2021

Ashutosh Yadav Son Of Late Shri Ram Narayan Yadav

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s) : Mr. Sandeep Singh Shekhawat

For Respondent(s) :

HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
Order

28/05/2021

Learned counsel for the petitioners submits that the petitioners along with one of the brother and their late father were co-owner of the Mine in question. After death of the petitioner's father, one of the brothers has filed a complaint on account of his personal dispute with the petitioners.

The respondents have invoked provision of Rule 76 of the MMCR, 2017 and have restrained mining operations on the concerned Mine by the impugned order dated 01.04.2021.

Learned counsel submits that Rule 76 of the MMCR, 2017 has no application where there are more than one co-owner of the Mine have died. It is stated by the counsel for the petitioners that the petitioners have been allowed to operate the Mine & after the representation, however, they are getting regular threatening.

Issue notice of the writ petition as well as the stay application, returnable within ten weeks.

In the meanwhile, no coercive steps shall be taken against the petitioner.

(SANJEEV PRAKASH SHARMA),J