

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 17061/2025

Hindustan Zinc Limited

-----Petitioner

Versus

The Union Of India And Ors.

-----Respondents

For Petitioner(s)	:	Mr. Dhruv Mehta, Sr. Adv. through VC assisted by Mr. Uday Tiwari Mr. Ayush Singh and Mr. Ishan Verma
For Respondent(s)	:	Mr. Bharat Vyas, ASG with Mr. C.S. Sinha, CGC and Mr. Mayank Kamwar Mr. Vigyan Shah, AAG

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

10/11/2025

1. Learned Senior Counsel appearing for the petitioner submits that the clarification issued by the Central Government is ultra vires to the provisions and also goes contrary to the verdict of the Tribunal passed way back as on 17.12.1980. He has also submitted that the product sulphur is not a direct product and even the State Government has been consistently holding it not to be a direct product.
2. The clarification issued by the Government of India dated 13.10.2025 is even in the teeth of the Second Schedule and Section 9 of the Mines and Minerals Act, 1957.
3. Issue notice to the respondents.

4. Mr. Bharat Vyas- learned Additional Solicitor General accepts notice on behalf of Union of India and Mr. Vigyan Shah- learned Additional Advocate General accepts notice on behalf of State.
5. Learned counsel appearing for the State as well as the Union of India shall file a short reply.
6. Learned Senior Counsel prays for an interim order that no coercive step should be taken. However, learned counsel appearing for the Central Government submits that there is no demand or order issued.
7. In view thereto, we do not find any reason to pass any interim order at this stage.
8. List this case on 09.12.2025.
9. In the meanwhile, reply may be filed.

(BALJINDER SINGH SANDHU),J (SANJEEV PRAKASH SHARMA),ACTING CJ