

31.03.2026
Ct. No. 30
P.B. No. 1
SM

CPAN 10 of 2026
M/s Sakthi Builders India Private Limited & Anr.
Versus
Shri Kale Amit Marutirao, IAS
In
WPA 377 of 2025
M/S. Sakthi Builders India Private Limited &
Anr.
Versus
The Deputy Commissioner & Ors.

Mr. Gopala Binnu Kumar (V/C)
.....for the petitioner
Mr. Rakesh Kumar (V/C)
Ms. Babita Das (V/C)
.....for the respondent

- 1.** The alleged contemnor has filed an affidavit of compliance which has been served upon the learned counsel for the revisionist.
- 2.** It appears from the said report that the alleged contemnor has given a hearing to the petitioner as directed by this Court in its order dated 16.12.2025, and has passed a reasoned order.
- 3.** It is submitted by the learned counsel for the alleged contemnor that in compliance of the High Court's order, a hearing was provided to the petitioner and a reasoned order has been passed and as such the contempt proceedings should be dropped, there being due compliance of the Court's order.
- 4.** Learned counsel for the petitioner has placed the reasoned order dated 27th February, 2026, passed by the alleged contemnor, wherein it appears that though a hearing was given to the petitioner and a reasoned

order was passed, the following portion of the reasoned order appears to be prima facie in violation of the Court's order:-

“NOW THEREFORE, in exercise of powers under Section 21 of the MMDR Act read with Rule 31 and 34 of the A&N Minor Minerals Rules, 2012, and in compliance of the Order of the Hon'ble High Court of Calcutta Circuit Bench at Port Blair in WPA 377/2025 (M/s. Sakthi Builders India Private Limited and another Versus The Deputy Commissioner and Others) the undersigned do hereby order that

1) A penalty of Rs 3,86,42,600/- (Three crore eighty six lakhs forty two thousand and six hundred rupees) is imposed for failure to submit Form-3 at the time of arrival. The amount shall be paid within 15 days from receipt of this order and deposited with the Cashier, District Office, Car Nicobar.

2) Upon payment of penalty and verification of quantities, seized materials, if any, shall be released following due procedure.

3) In case of failure to comply with this order after lapse of the time period of 15 days from the receipt of this order, necessary entry shall be made in the Record of Rights of the concerned holdings of the violators, and the fine amount will be collected as arrears of land revenue as per

Rule 48 of the A&N Minor Minerals Rules, 2012.

5. Learned counsel for the petitioner submits that this Court in its judgment dated 16.12.2025 had specifically directed as follows:-

*“44. Considering the case as made out by both the parties, **this Court keeping in mind the case of the parties herein and also the public interest in such cases, grants an opportunity to the petitioner to file his Form -3 within 30 days from the date of this order along with documents as required under the Rules of 2012 (herein pages 59 to 73 and others, if any). Form-3 be given to the petitioner herein by the respondent/authorities concerned within 7 (Seven) days from the date of this order.**”*

6. It appears from the affidavit of compliance, that **the penalty has been imposed upon the petitioner herein, for failure to submit Form-3 at the time of arrival.** The said observation of the alleged contemnor is prima facie in violation of the direction in paragraph 44 of this Court’s judgment dated 16.12.2025, wherein **the petitioner was granted an opportunity by the Court to file his Form-3 within 30 days from the date of the said order,** which the petitioner submits has been done and that **Form-3 was supplied within 7 days by the alleged contemnor as directed by the**

Court and the petitioner submitted the Form-3 within 30 days, as directed by the Court and as such there was no delay in filing the Form-3 for which penalty has been imposed.

7. Considering the said facts as placed, an opportunity is being granted to the alleged contemnor, to submit a report in respect of the observations made herein above by this Court, which prima facie makes out a case of alleged violation of the Court's judgment dated 16.12.2025.

8. The matter be listed on **5th May, 2026** for further hearing and filing of report, by the alleged contemnor.

[Shampa Dutt (Paul). J]