

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Civil Appeal No 2011 of 2008

Dr Nishikant Sukerkar

Appellant

Versus

**Government of India Through Secretary,
Ministry of Mines and Others**

Respondents

ORDER

- 1 The High Court has come to the conclusion that the writ petition filed under Article 226 of the Constitution was liable to be dismissed on the ground of delay and laches. This conclusion of the High Court is evidently correct. The mining lease of the appellant was terminated on 6 April 1976. The revision against the order of termination was dismissed on 10 May 1978.
- 2 The Goa, Daman & Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act 1987 came into force on 23 May 1987. The application by the appellant for inclusion in the schedule under Section 4(3) was filed on 8 April 1997 which was rejected on 9 September 1998.

- 3 There is absolutely no explanation for the delay in pursuing remedies and the High Court was justified in dismissing the petition.
- 4 The Civil Appeal is accordingly dismissed.
- 5 Pending applications, if any, stand disposed of.

.....CJI.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Pamidighantam Sri Narasimha]

.....J.
[Manoj Misra]

New Delhi;
September 14, 2023
CKB

ITEM NO.101

COURT NO.1

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.2011/2008

NISHIKANT SUKERKAR

Appellant(s)

VERSUS

GOVT. OF INDIA, THROUGH SECRETARY, MINISTRY
OF MINES & ORS.

Respondent(s)

WITH C.A. No.2232/2008 (IX)

Date : 14-09-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE MANOJ MISRA

For Appellant(s) Mr. Yashraj Singh Deora, Adv.
Mr. Priyesh Mohan Srivastava, Adv.
Mr. Abhishek Singh, Adv.
Ms. Shobha Gupta, AOR

CA 2232/2008 Mr. Dhruv Mehta, Sr. Adv.
Mr. Yashraj Singh Deora, Adv.
Mr. Priyesh Mohan Srivastava, Adv.
Mr. Abhishek Singh, Adv.
M/s. J.S. Wad & Co

For Respondent(s) Mr. Ankur S. Kulkarni, AOR

Ms. Mukti Chowdhary, AOR

Ms. Aishwarya Bhati, ASG
Mr. Gurmeet Singh Makker, AOR
Ms. Ruchi Kohli, Adv.
Mr. Chinmayee Chandra, Adv.
Ms. Swarupama Chaturvedi, Adv.
Ms. V Mohana, Adv.
Ms. Sunita Sharma, Adv.

Mr. Shishir Deshpande, AOR

Mr. Ranjit Kumar, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Ankur Saigal, Adv.
Ms. S. Lakshmi Iyer, Adv.
Ms. Anvesha Padhi, Adv.
Mr. E.C. Agrawala, AOR

For State of Goa

Mr. Abhay Anil Anturkar, Adv.
Mr. Dhruv Tank, Adv.
Ms. Surbhi Kapoor, Adv.
Mr. Aniruddha Awalgaoonkar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Civil Appeal No 2011 of 2008

- 1 The Civil Appeal is dismissed in terms of the signed order.
- 2 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(RENU BALA GAMBHIR)
COURT MASTER

(Signed order is placed on the file)