

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).6810/2012

(From the judgement and order dated 13/02/2012 in WPC No.2297/2012  
of The HIGH COURT OF ORISSA AT CUTTACK)

M/S. FERRO ALLOYS CORPORATION LTD.

Petitioner(s)

VERSUS

STATE OF ORISSA &amp; ORS.

Respondent(s)

(With appln(s) for permission to place addl. documents on record and  
directions and ex-parte stay and with prayer for interim relief and office  
report ))

(FOR FINAL DISPOSAL)

Date: 06/02/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE MADAN B. LOKUR

For Petitioner(s)

Mr. Harish N. Salve, Sr. Adv.  
Mr. Pallav Shishodia, Sr. Adv.  
Mr. Shyamanand Mohapatra, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Rishi Agrawala, Adv.  
Mr. E.C. Agrawala, Adv.  
Mr. Ankur Saigal, Adv.  
Mr. Abhinav Agrawal, Adv.

For Respondent(s)

Mr. Rakesh Dwivedi, Sr. Adv.  
Mr. Shibashish Misra, Adv.Mr. R.P. Bhatt, Sr. Adv.  
Mr. Shalinder Saini, Adv.  
Mr. S.N. Terdal, Adv.  
Mr. Sunil Roy, Adv.  
Mr. B. Krishna Prasad, Adv.

UPON hearing counsel the Court made the following

O R D E R

In the counter affidavit, the State of Odisha - respondent  
No. 1 - has, inter alia, set up the plea that area of 187.03 hectares

of the petitioner's Boula chromite mine is inside Hadagarh Wildlife Sanctuary.

As this fact is denied by the petitioner and it is stated that subject mining area is outside Hadagarh Wildlife Sanctuary, we are of the view that it would be appropriate if the Union of India, Ministry of Environment and Forest seeks assistance of the Central Empowered Committee (CEC) to find out the actual status of the subject mining area whether it falls within Hadagarh Wildlife Sanctuary or not and then report to this Court by way of an affidavit.

Mr. R.P. Bhatt, learned senior counsel, submits that this exercise may take about three weeks.

List the matter after four weeks.

In the meanwhile, Union of India shall file affidavit/report as indicated above.

It is clarified that CEC shall find out actual status of the subject mining area uninfluenced by the decision given by the Civil Court on August 27, 2008 in Civil Suit No. 16 of 2007 against which an appeal has been preferred and is pending before the Court of District Judge.

|(Rajesh Dham)  
|Court Master

| |(Renu Diwan)  
| |Court Master

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