

ITEM NO.MM-7A

COURT NO.7

SECTION XIA

S U P R E M E

C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A. No. 6/2012 in
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)
Applicant(s)

VERSUS

STATE OF ORISSA & ORS.

Respondent(s)

(for directions)

Date: 11/05/2012 This IA was called on for hearing
in the mentioning list of today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE H.L. GOKHALE
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s)/
For applicant(s)

Mr. Pallav Sishodia, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. E.C. Agrawala, Adv.
Mr. Ankur Saigal, Adv.

For Respondent(s)

Mr. Shibashish Misra, Adv.

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

Taken on board.

We have heard Mr. Pallav Sishodia, learned senior
counsel for the applicant-petitioner, and Mr. Shibashish
Misra, learned counsel for the State of Orissa.

By this application, the applicant-petitioner has
prayed for direction to the respondents to permit it to

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carry out the process of de-watering from their Boula
Chromite Mine till the final disposal of the present special
leave petition.

Having regard to the communication sent by the
Director, Mines Safety, Bhubaneswar Area before monsoon
season of 2011, we are of the view that it will be in the
interest of all concerned if the applicant-petitioner is

permitted to carry out the process of de-watering from subject Boula Chromite Mine. Such process of de-watering shall be done under the supervision of the Director, Mines Safety, Bhubaneswar Area or by any other officer/official deputed by him.

An undertaking shall be filed by the applicant-petitioner before this Court within one week from today that, while carrying out the process of de-watering from subject Boula Chromite Mine, no mining activity whatsoever shall be undertaken by the applicant-petitioner in any form. We further clarify that no equity shall be claimed by the applicant-petitioner on the basis of permission of de-watering.

Interlocutory Application No. 6 of 2012 stands disposed of accordingly.

(Rajesh Dham)
Court Master

(Renu Diwan)
Court Master