

ITEM NO.3

COURT NO.8

SECTION XIA

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 & ORS.

Respondent(s)

(With appln(s) for ex-Parte stay and with prayer for interim relief)

Date: 13/03/2012 This Petition was called on for hearing today.

CORAM :

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

For Petitioner(s)

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Pallav Shishodia, Sr. Adv.
Mr. Shyamananda Mohapatra, 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

Mr. Shibashish Misra, learned counsel for the State
of Orissa, submits that brief counter affidavit has been
filed on behalf of respondent Nos. 2 and 4 but detailed
counter affidavit on behalf of respondent Nos. 1 to 6 is
required to be filed. He, therefore, prays for time.

The detailed counter affidavit may be filed on behalf
Petition(s) for Special Leave to Appeal (Civil) No(s).6810/2012

of respondents within three weeks from today.

Rejoinder may

be filed by the petitioner within two weeks therefrom. List
the matter on April 24, 2012.

Mr. Mukul Rohatgi, learned senior counsel for the
petitioner, prays for interim direction insofar as lifting
of mined Chrome ore lying in the mining area is concerned.

He submits that about 25,000 M.T. Chrome ore has been mined by the petitioner from the lease hold area prior to February 9, 2012. He further submits that lifting of mined Chrome ore is urgently required by the petitioner for running its Chrome plant.

Mr. Shibashish Misra, learned counsel for the State of Orissa, referred to the letter dated February 29, 2012 sent by the Director of Mines, Odisha, Bhubaneswar to the Additional Secretary to Government, Department of Steel and Mines, Odisha, Bhubaneswar, wherein it is stated that from the subject mines 25,002.116 M.T. of Chrome ore has been raised by the petitioner from the surface rights granted to it within the lease hold area prior to February 9, 2012.

Having regard to the above position, we are satisfied that the petitioner may be permitted to lift 25,002.116 M.T. of mined Chrome ore lying in the mining area. We order accordingly.

(Rajesh Dham)
Court Master

(Renu Diwan)
Court Master