

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.20267/2000  
(From the judgement and order dated 21/08/2000 in CMWP 4263/2000  
of The HIGH COURT OF U.P AT LUCKNOW)

STATE OF UTTARANCHAL & ORS. Petitioner (s)

VERSUS

VIJAYANT JAISWAL Respondent (s)

(With prayer for interim relief)  
( With Appln(s). for intervention, permission to place addl. documents  
on record )

Date : 21/01/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK  
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Ms. Rachana Srivastava,Adv.

For Respondent (s) M/s. Prashant Kumar,P.Keswani &  
Joseph Pookkatt,Advs.  
Mr. Vishwajit Singh,Adv.

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

.....L.....I.....T.....T.....T.....T.....J.  
.SP2

Heard the learned counsel for the State and the  
learned counsel for the opposite party. Perused the impugned  
order of the Division Bench of Allahabad High Court, which  
appears to have been disposed of with a direction without  
even hearing the State Government. According to the High  
Court as the question involved is too trivial, the same can  
be disposed of even without giving an opportunity of hearing  
to the State. We are afraid that this order cannot be  
sustained as the question of grant of mining lease in  
relation to any minerals, which vest in the State, the State  
has a right of hearing. We therefore set aside the impugned  
order dated 21.8.2000 and direct the High Court to dispose of

- 2 -

the Writ Petition on merits after hearing the State and any  
other person, which may have any right of hearing.

The Special Leave Petition is disposed of  
accordingly.

.SP1

(Y.P.Dhamija)

(V.P.Tyagi)@@

AA

Court Master

Court Master@@

AAAAA