

ITEM NO.2

COURT NO.4

SECTION XI

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

Petition(s) for Special Leave to Appeal (C) No(s).26957-26958/2010

(Arising out of impugned final judgment and order dated 25-05-2010 in WP No. 27820/2008 and 01-07-2010 in SA No. 1008/2010 passed by the High Court of Judicature at Allahabad)

RAM LALI MISHRA

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

Date : 05-01-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Ms. Pragya Baghel, Adv.
Ms. Ranjeeta Rohatgi, AOR

For Respondent(s) Mrs. Rachna Gupta, AOR
Mr. D.K. Goswami, Adv.
Mr. Samir Ali Khan, Adv.

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

We have heard learned counsel for the parties.

The admitted position is that the royalty has been paid by the petitioner. In any event, despite several adjournments running in couple of months, this position has not been controverted by the respondents.

The mining activities were carried out by the petitioner in terms of the orders passed by the High Court and as such any benefits derived by the petitioner cannot be taken away from the petitioner. The only claim

that can be made from the petitioner is of royalty, which has already been paid.

In view of the above, we modify the order passed by the High Court and dispose of the petitions on the above basis.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER