ITEM NO.2 COURT NO.12 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).33926/2010
(From the judgement and order dated 16/02/2010 in WP
No.17719/2009,MC No.434/2010 of The HIGH COURT OF ORISSA AT CUTTACK)

STATE OF ORISSA & ORS. Petitioner(s)

VERSUS

M/S ARJUN LADHA & ANR Respondent(s)
(With appln(s) for c/delay in filing SLP and seeking leave to place
subsequent events and documents on record and with prayer for
interim relief and office report)
(FOR FINAL DISPOSAL)

Date: 21/03/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s) Mr. Raju Ramachandran,Sr.Adv.
Mr. Radha Shyam Jena,Adv.

For Respondent(s) Mr. Naveen Kumar,Adv.

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

After arguing the matter at some length Mr. Raju Ramachandran, learned senior counsel for the petitioners-State submits that the petitioners are ready to comply with the directions issued by the High Court and to determine the quantity of iron and manganese ores legally extracted by the respondents and that which has been extracted from out of the encroached area within a period of six weeks from today. He further submits that the determination

will be made on an appropriate basis and not necessarily on "guess work" as observed by the High Court. He states that such quantity as is found to have been lawfully extracted shall be allowed to be lifted by the respondents while proper orders regarding the rest shall be passed and conveyed to respondents to enable them to seek redress in appropriate proceedings before the competent court/authority.

In such circumstances, therefore, we dispose of this special leave petition with the observation that the needful, as indicated above, may be done by the competent authority within a period of six weeks. We make it clear that nothing stated by the High Court in its order dated 16.02.2010 shall prejudice the process of determination of legally and illegally extracted quantities of iron and maganese ores. No costs.

(N.K. Goel)
Court Master

(Veena Khera)
Court Master