

Court No. - 3

Case :- WRIT - C No. - 9259 of 2023

Petitioner :- Kunwar Infra Developers Pvt. Ltd. Thru. Director Nafees Ahmad

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Geology And Mining U.P. Lucknow
And Another

Counsel for Petitioner :- Shishir Chandra

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard Sri Shishir Chandra, learned counsel for the petitioner and the learned Standing Counsel for the State-respondents.

Considering the fact that Mines Revision No.49(R)/G&M (UP)/2023 (M/s. Kunwar Infra Developers Vs. D.M. Kaushambi) is pending before the State Government, against the order of the Collector cancelling the mining lease of the petitioner as also the appellate order passed by the Commissioner in this regard, wherein the revision has been admitted but no orders, as claimed has been passed on the interim relief matter and in the meantime, recovery notices have been issued, we provide that the Revisional Authority shall consider and pass an order on the interim relief application of the petitioner within two weeks from the date of receipt of a copy of this order, unless it has already been passed on the merits of the application, in which case, it shall be communicated to the petitioner. Consequences shall follow accordingly. The revision be also decided at the earliest, say within a period of three months.

For a period of two weeks or till such decision is taken by the Revisional Authority on the application for interim relief, no coercive action shall be taken against the petitioner. However, if the order has already been passed earlier, then the benefit of this order shall not be available to the petitioner. Petitioner shall not seek any adjournment in the matter.

Writ petition is **disposed of** accordingly.

Learned Standing Counsel shall communicate this order to the revisional authority for compliance.

.

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 19.10.2023

Arjun/-