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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3180 of 2026

Anand Tiwari S/o Ramvilas Tiwari Aged About 35 Years R/o Ward No. 9, Behind Hariyali Heritage, Distt - Janjgir Champa Chhattisgarh

--- Petitioner

Versus

- 1** - State Of Chhattisgarh Through Its Secretary, Mineral Resources Department, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District Raipur Chhattisgarh
- 2** - Collector (Mining Branch) District Janjgir-Champa Chhattisgarh
- 3** - Tehsildar Janjgir-Champa, District Janjgir-Champa Chhattisgarh
- 4** - Mining Officer District Janjgir-Champa Chhattisgarh
- 5** - Adarsh Pratap Singh (Lease Holder) Village - Puchheli, Tehsil - Bamnidih, Distt Janjgir-Champa Chhattisgarh Through Collector, Distt Janjgir Champa Chhattisgarh

--- Respondents

WPC No. 3182 of 2026

Pooja Tiwari W/o Anand Tiwari Aged About 36 Years R/o Ward No.9 Behind Hariyali Heritage Janjgir Distt- Janjgir Champa (C.G.)

---Petitioner

Versus

- 1** - State Of Chhattisgarh Through Its Secretary, Mineral Resources Department Mantralaya Mahanadi Bhawan Nawa Raipur Atal Nagar, District- Raipur (C.G.)
- 2** - Collector (Mining Branch) District- Janjgir-Champa (C.G.)
- 3** - Tehsildar Janjgir Champa District- Janjgir-Champa (C.G.)

4 - Mining Officer District- Janjgir-Champa (C.G.)

5 - Vipul Jain (Lease Holder) Village - Bhada Tahsil - Janjgir Distt- Janjgir Champa (C.G.) Through Collector Distt- Janjgir Champa (C.G.)

--- **Respondents**

WPC No. 3185 of 2026

Prakash Pandey S/o Triveni Pandey Aged About 29 Years R/o Ward No.9 Near Gattani School Janjgir Distt- Janjgir-Champa (C.G.) 495668

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through Its Secretary, Mineral Resources Department Mantralaya Mahanadi Bhawan Nawa Raipur Atal Nagar, District- Raipur (C.G.)

2 - Collector (Mining Branch) District- Janjgir-Champa (C.G.)

3 - Tehsildar Janjgir Champa District- Janjgir-Champa (C.G.)

4 - Mining Officer District- Janjgir-Champa (C.G.)

5 - Aman Sharma (Lease Holder) Village - Borsi Tahsil- Bamnidih Distt- Janjgir Champa (C.G.) Through Collector Distt- Janjgir-Champa (C.G.)

--- **Respondents**

WPC No. 3186 of 2026

Durgesh Singh S/o- Late Ramnagina Singh Aged About 35 Years R/o- C-60, Lane-II, Choubey Colony, Sarkanda, Bilaspur, District- Bilaspur (C.G.)

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through Its Secretary, Mineral Resources Department, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District- Raipur (C.G.)

2 - Collector (Mining Branch), District- Jangir-Champa (C.G.)

3 - Tehsildar, Janjgir Champa, District- Jangir-Champa (C.G.)

4 - Mining Officer, District- Jangir-Champa (C.G.)

5 - Piysh Pratap Singh (Lease Holder) Village- Kerakachhar-2, Tehsil- Baloda, District- Jangir-Champa (C.G.) Through Collector, district- Jangir-Champa (C.G.)

--- **Respondents**

WPC No. 3200 of 2026

Anand Tiwari S/o Ramvilas Tiwari Aged About 35 Years R/o Ward No. 9, Behind Hariyali Heritage, Distt. Janjgir Champa, Chhattisgarh.

---Petitioner

Versus

1 - State Of Chhattisgarh Through Its Secretary, Mineral Resources Department, Mantralaya Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Distt. Raipur, Chhattisgarh.

2 - Collector (Mining Branch) Distt. Janjgir Champa, Chhattisgarh.

3 - Tehsildar Janjgir Champa, Distt. Janjgir Champa, Chhattisgarh.

4 - Mining Officer District Janjgir Champa, Chhattisgarh.

5 - Aayush Singh (Lease Holder) Village Navapara, Tehsil Janjgir, Distt. Janjgir Champa, Chhattisgarh, Through Collector, Distt. Janjgir Champa, Chhattisgarh.

--- Respondents

WPC No. 3210 of 2026

Pooja Tiwari W/o Anand Tiwari Aged About 36 Years R/o Ward No. 9, Behind Hariyali Heritage, Janjgir, Distt Janjgir-Champa Chhattisgarh

---Petitioner

Versus

1 - State Of Chhattisgarh Through Its Secretary, Mineral Resources Department, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District Raipur Chhattisgarh

2 - Collector (Mining Branch) District Janjgir-Champa Chhattisgarh

3 - Tehsildar Janjgir Champa District Janjgir-Champa Chhattisgarh

4 - Mining Oficer District Janjgir-Champa Chhattisgarh

5 - Rashmit Kour Saluja (Lease Holder) Village Devarghata, Tahsil Pamgarh, Distt Janjgir-Champa Chhattisgarh Through Collector, District Janjgir-Champa Chhattisgarh

--- Respondents

WPC No. 3216 of 2026

Anand Tiwari S/o Ramvilas Tiwari Aged About 35 Years R/o Ward No. 9 Behind Hariyali Heritage, Distt. -Janjgir Champa (C.G.)

---Petitioner

Versus

- 1** - State Of Chhattisgarh Through Its Secretary, Mineral Resources Department, Mantralaya Mahanadi Bhawan, Nava Raipur, Atal Nagar, District- Raipur (C.G.)
- 2** - Collector (Mining Branch), District Janjgir -Champa (C.G.)
- 3** - Tehsildar, Janjgir Champa, District Janjgir Champa (C.G.)
- 4** - Mining Officer, District Janjgir Champa (C.G.)
- 5** - Vishal Kesharwani (Lease Holder) Village Pithampur, Tehsil Janjgir, Distt -Janjgir Champa (C.G.) Through Collector, Distt -Janjgir Champa (C.G.)

--- Respondents**WPC No. 3217 of 2026**

Anand Tiwari S/o Ramvilas Tiwari Aged About 35 Years R/o Ward No.9, Behind Hariyali Heritage Distt- Janjgir Champa (C.G.)

---Petitioner**Versus**

- 1** - State Of Chhattisgarh Through Its Secretary, Mineral Resources Department Mantralaya Mahanadi Bhawan Nava Raipur Atal Nagar, District- Raipur (C.G.)
- 2** - Collector (Mining Branch) District- Janjgir-Champa (C.G.)
- 3** - Tehsildar Janjgir Champa District- Janjgir-Champa (C.G.)
- 4** - Mining Officer District- Janjgir-Champa (C.G.)
- 5** - Chhaya Chawala (Lease Holder) Village- Tanoud Tehsil- Pamgarh Distt- Janjgir-Champa (C.G.) Through Collector Distt- Janjgir-Champa (C.G.)

--- Respondents**WPC No. 3225 of 2026**

Anand Tiwari S/o Ramvilas Tiwari Aged About 35 Years R/o Ward No. 9 Behind Hariyali Heritage District Janjgir Champa C.G.

---Petitioner**Versus**

- 1** - State Of Chhattisgarh Through- Its Secretary Mineral Resources Department Mantralaya Mahanadi Bhawan Nava Raipur District Raipur C.G.

- 2 - Collector (Mining Branch) District Janjgir Champa C.G.
- 3 - Tehsildar Janjgir Champa District Janjgir Champa C.G.
- 4 - Mining Officer District Janjgir Champa C.G.
- 5 - Babita Agrawal (Lease Holder) Village Gadapali Tehsil Janjgir District Janjgir Champa C.G. Through Collector District Janjgir Champa C.G.

--- Respondents

WPC No. 3226 of 2026

Pooja Tiwari W/o Anand Tiwari Aged About 36 Years R/o Ward No. 9, Behind Hariyali Heritage, Janjgir, Distt. Janjgir Champa, Chhattisgarh.

---Petitioner

Versus

- 1 - State Of Chhattisgarh Through Its Secretary, Mineral Resources Department, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Distt. Raipur, Chhattisgarh.
- 2 - Collector (Mining Branch) District Janjgir Champa, Chhattisgarh.
- 3 - Tahsildar Janjgir Champa, Distt. Janjgir Champa, Chhattisgarh.
- 4 - Mining Officer District Janjgir Champa, Chhattisgarh.
- 5 - Vikash Singh Thakur (Lease Holder) Village Kanasda, Tehsil Seorinarayan, Distt. Janjgir Champa, Chhattisgarh Through Collector, Distt. Janjgir Champa, Chhattisgarh.

--- Respondents

WPC No. 3237 of 2026

Anand Tiwari S/o Ramvilas Tiwari Aged About 35 Years R/o Ward No. 9, Behind Hariyali Heritage, Distt- Janjgir Champa (C.G.)

---Petitioner

Versus

- 1 - State Of Chhattisgarh Through Its Secretary, Mineral Resources Department, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District- Raipur (C.G.)
- 2 - Collector (Mining Branch) District Janjgir-Champa (C.G.)
- 3 - Tehsildar Janjgir Champa, District Janjgir-Champa (C.G.)
- 4 - Mining Officer District Janjgir-Champa (C.G.)

5 - Jaipal Singh (Lease Holder) Village Pendrimahal Tehsil- Navagarh, Distt- Janjgir Champa (C.G.) Through Collector, District Janjgir-Champa (C.G.)

--- Respondents

WPC No. 3243 of 2026

Ruchi Singh W/o Durgesh Singh Aged About 29 Years R/o C- 60, Lane - II Choubey Colony, Sarkanda, Bilaspur, Distt- Bilaspur (C.G.)

---Petitioner

Versus

- 1 - State Of Chhattisgarh Through Its Secretary, Mineral Resources Department Mantralaya Mahanadi Bhawan Nawa Raipur Atal Nagar, District- Raipur (C.G.)**
- 2 - Collector (Mining Branch) District- Janjgir-Champa (C.G.)**
- 3 - Tehsildar Janjgir Champa District- Janjgir-Champa (C.G.)**
- 4 - Mining Officer District- Janjgir-Champa (C.G.)**
- 5 - Sandeep Yadav (Lease Holder) Village Karnaad Tehsil - Bamnidih Distt- Janjgir Champa (C.G.) Through Collector Distt- Janjgir Champa (C.G.)**

--- Respondents

(Cause-title taken from Case Information System)

For Petitioner in all the writ petitions	:	Mr. Ashutosh Pandey, Advocate
For State/Respondents No.1 to 4	:	Mr. Vivek Sharma, Advocate General assisted by Mr. Praveen Das, Additional Advocate General
For Respondent No.5 in WPC No.3216/2026	:	Mr. Hemant Kesharwani, Advocate
For Respondent No.5 in WPC Nos.3217/2026, 3226/2026 & 3237/2026	:	Mr. Vikram Sharma, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

30.06.2026

1. Heard Mr. Ashutosh Pandey, learned counsel appearing for the petitioner in all the writ petitions; Mr. Vivek Sharma, learned Advocate General, assisted by Mr. Praveen Das, learned Additional Advocate General, appearing on behalf of the State/respondents No.1 to 4; Mr. Hemant Kesharwani, learned counsel appearing for respondent No.5 in W.P.(C) No.3216 of 2026; and Mr. Vikram Sharma, learned counsel appearing for respondent No.5 in W.P.(C) Nos.3217 of 2026, 3226 of 2026 and 3237 of 2026.
2. Since all the aforesaid writ petitions involve substantially identical questions of fact and law arising out of separate Notices Inviting Tender ('NITs') issued by the Collector (Mining), District Janjgir-Champa, under the provisions of the Chhattisgarh Minor Mineral Ordinary Sand (Quarrying and Trade) Rules, 2025, and common questions regarding the legality and validity of the tender process have been raised, all these writ petitions were heard analogously with the consent of learned counsel appearing for the respective parties and are being disposed of by this common order.
3. The petitioners in the aforesaid writ petitions have questioned the legality, validity and propriety of the separate Notices Inviting

Tender (Reverse Auction) issued by the Collector (Mining), District Janjgir-Champa, for grant of quarry leases in respect of different sand ghats situated within District Janjgir-Champa. Though the impugned Notices Inviting Tender have been issued on different dates and relate to different villages and lease holders, the challenge in all the writ petitions rests on identical legal and factual grounds, namely, that the respondent authorities initiated the auction process for grant of quarry leases without there being a validly finalized and approved District Survey Report ('DSR') for District Janjgir-Champa in accordance with the statutory provisions, the Sustainable Sand Mining Management Guidelines, 2016, the Enforcement and Monitoring Guidelines for Sand Mining, 2020, and the law declared by the Hon'ble Supreme Court.

4. In W.P.(C) No.3180 of 2026, the petitioner has prayed for following relief(s) :-

"10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of the petitioner.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction, particularly a writ of mandamus, quashing the impugned Notice Inviting Tender bearing No.3851/Kh.Li.1/Sand Auction/2025 dated 15.10.2025 relating to Event No. MSTC/RPR/Chhattisgarh/Janjgir Tender/

1/25-26/37345 issued by respondent No.2 for grant of quarry lease for ordinary sand through electronic reverse auction.

10.3 Any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

5. In W.P.(C) No.3182 of 2026, the petitioner has prayed for following relief(s) :-

"10.1 That, this Hon'ble Court may kindly be pleased call for entire records pertaining to the case of the petitioner.

10.2 That this Hon'ble Court may kindly be pleased to issue a writ of mandamus for quashing/setting aside the impugned NIT bearing no. 3943/Kh.Li.1/Sand Auction/2025 dated 22.10.2025 on the Event No. MSTC/ RPR/ Chhattisgarh/ Janjgir Tender/4/25-26/38798 passed by respondent no.2 Annexure P/1) inviting bid from the eligible candidates/entities for grant of quarry lease for ordinary sand by way of auction/reverse auction.

10.3 Any other relief which this Hon'ble Court deems fit and proper may be passed."

6. In W.P.(C) No.3185 of 2026, the petitioner has prayed for following relief(s) :-

"10.1 That, this Hon'ble Court may kindly be pleased call for entire records pertaining to the case of the petitioner.

10.2 That this Hon'ble Court may kindly be pleased to issue a writ of mandamus for quashing/setting aside the impugned NIT bearing no. 3943/Kh.Li.1/Sand Auction/2025 dated 22.10.2025 on the Event No. MSTC/RPR/ Chhattisgarh/ Janjgir Tender/ 8/ 25-26/ 38802 passed by respondent no.2 (Annexure P/1) inviting bid from the eligible candidates/entities for grant of quarry lease for ordinary sand by way of auction/reverse auction.

10.3 Any other relief which this Hon'ble Court deems fit and proper may be passed."

- 7.** *In W.P.(C) No.3186 of 2026, the petitioner has prayed for following relief(s) :-*

"10.1 That, this Hon'ble Court may kindly be pleased call for entire records pertaining to the case of the petitioner.

10.2 That this Hon'ble Court may kindly be pleased to issue a writ of mandamus for quashing/setting aside the impugned NIT bearing no. 3851/Kh.Li.1/Sand Auction/2025 dated 15.10.2025 on the Event No. MSTC/RPR/ Chhattisgarh/ Janjgir Tender/2/25-26/37346 passed by respondent no.2 (Annexure P/1) inviting eligible the from bid candidates/entities for grant of quarry lease for ordinary sand by way of auction/reverse auction.

10.3 Any other relief which this Hon'ble Court deems fit and proper may be passed."

8. *In W.P.(C) No.3200 of 2026, the petitioner has prayed for following relief(s) :-*

"10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of the petitioner.

10.2 That this Hon'ble Court may kindly be pleased to issue a writ of mandamus for quashing/setting aside the impugned NIT 4020/Kh.Li.1/Sand Auction/2025 dated bearing no. 30.10.2025 on the Event No. MSTC/RPR/Chhattisgarh/Janjgir Tender/9/25-26/39836 passed by respondent no.2 (Annexure P/1) inviting bid from the eligible candidates/entities for grant of quarry lease for ordinary sand by way of auction/reverse auction.

10.3 Any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

9. *In W.P.(C) No.3210 of 2026, the petitioner has prayed for following relief(s) :-*

"10.1 That, this Hon'ble Court may kindly be pleased call for entire records pertaining to the case of the petitioner.

10.2 That this Hon'ble Court may kindly be pleased to issue a writ of mandamus for quashing/setting aside the impugned NIT 4050/Kh.Li.1/Sand Auction/2025 dated bearing no. 04.11.2025 on Event

No.MSTC/RPR/Chhattisgarh/Janjgir Tender/ 13/25-26/41443 passed by respondent no.2 (Annexure P/1) inviting bid from the eligible candidates/entities for grant of quarry lease for ordinary sand by way of auction/reverse auction.

10.3 Any other relief which this Hon'ble Court deems fit and proper may be passed."

10. *In W.P.(C) No.3216 of 2026, the petitioner has prayed for following relief(s) :-*

"10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of the petitioner.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction, particularly a writ of mandamus, quashing the impugned Notice Inviting Tender bearing No.4050/Kh.Li.1/Sand Auction/2025 dated 04.11.2025 relating to Event No. MSTC/RPR/Chhattisgarh/Janjgir Tender/12/25-26/41442 issued by respondent No.2 for grant of quarry lease for ordinary sand through electronic reverse auction.

10.3 Any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

11. *In W.P.(C) No.3217 of 2026, the petitioner has prayed for following relief(s) :-*

"10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of the petitioner.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction, particularly a writ of mandamus, quashing the impugned Notice Inviting Tender bearing No.4050/Kh.Li.1/Sand Auction/2025 dated 04.11.2025 relating to Event No. MSTC/RPR/Chhattisgarh/Janjgir Tender/ 14/25-26/41445 issued by respondent No.2 for grant of quarry lease for ordinary sand through electronic reverse auction.

10.3 Any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

- 12.** *In W.P.(C) No.3225 of 2026, the petitioner has prayed for following relief(s) :-*

"10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of the petitioner.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction, particularly a writ of mandamus, quashing the impugned Notice Inviting Tender bearing No.3943/Kh.Li.1/Sand Auction/2025 dated 22.10.2025 on the Event No. MSTC/RPR/Chhattisgarh /Janjgir Tender/5 /25-26/38799 issued by respondent No.2 for

grant of quarry lease for ordinary sand through electronic reverse auction.

10.3 Any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

- 13.** In W.P.(C) No.3226 of 2026, the petitioner has prayed for following relief(s) :-

"10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of the petitioner.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction, particularly a writ of mandamus, quashing the impugned NIT 4020/Kh.Li.1/Sand Auction/2025 dated the bearing no. 30.10.2025 on Event No.MSTC/RPR/Chhattisgarh/Janjgir Tender/ 10/25-26/39840 issued by respondent No.2 for grant of quarry lease for ordinary sand through electronic reverse auction.

10.3 Any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

- 14.** In W.P.(C) No.3237 of 2026, the petitioner has prayed for following relief(s) :-

"10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of the petitioner.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction, particularly a writ of mandamus, quashing the impugned NIT 4020/Kh.Li.1/Sand Auction/2025 dated the bearing no. 30.10.2025 on MSTC/RPR/Chhattisgarh/Janjgir Event No. Tender/11/25-26/39841 issued by respondent No.2 for grant of quarry lease for ordinary sand through electronic reverse auction.

10.3 Any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

- 15.** *In W.P.(C) No.3243 of 2026, the petitioner has prayed for following relief(s) :-*

"10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of the petitioner.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction, particularly a writ of mandamus, quashing the impugned impugned NIT no. bearing 730/Kh.Li.1/Sand Auction/2025 dated 30.03.2026 on the Event No. MSTC/ RPR/ Chhattisgarh/ Janjgir Tender/4/26-27/1582 issued by respondent No.2 for grant of quarry lease for ordinary sand through electronic reverse auction.

10.3 Any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

16. Briefly stated, the facts giving rise to the present batch of writ petitions are that the State Government, in exercise of powers conferred under Section 15 of the Mines and Minerals (Development and Regulation) Act, 1957, framed the Chhattisgarh Minor Mineral Ordinary Sand (Quarrying and Trade) Rules, 2025 governing grant of quarry leases for ordinary sand. Pursuant thereto, the Collector (Mining), District Janjgir-Champa, issued separate Notices Inviting Tender (Reverse Auction) in respect of different sand ghats situated within District Janjgir-Champa, namely, NIT dated 15.10.2025 in W.P.(C) Nos.3180/2026 and 3186/2026; NIT dated 22.10.2025 in W.P.(C) Nos.3182/2026, 3185/2026 and 3225/2026; NIT dated 30.10.2025 in W.P.(C) Nos.3200/2026, 3226/2026 and 3237/2026; NIT dated 04.11.2025 in W.P.(C) Nos.3210/2026, 3216/2026 and 3217/2026; and NIT dated 30.03.2026 in W.P.(C) No.3243/2026.
17. The petitioners have questioned the legality of the aforesaid NITs principally on the ground that, on the dates of issuance thereof, there was no validly finalized and approved DSR for District Janjgir-Champa as contemplated under the Sustainable Sand Mining Management Guidelines, 2016, the Enforcement and Monitoring Guidelines for Sand Mining, 2020 and the law laid

down by the Hon'ble Supreme Court, and therefore the entire tender process deserves to be quashed.

18. Mr. Ashutosh Pandey, learned counsel appearing for the petitioners submits that the very foundation of the impugned Notices Inviting Tender is contrary to the statutory scheme governing sand mining. He submits that preparation and approval of a valid DSR is a mandatory condition precedent before issuance of any Notice Inviting Tender or grant of quarry lease. It is argued that the earlier DSR pertaining to District Janjgir-Champa had exhausted its statutory life and no validly approved fresh DSR was in existence when the impugned NITs came to be issued. Merely uploading a draft DSR in the public domain cannot satisfy the mandatory requirement of law.
19. It is further submitted by Mr. Pandey that the Hon'ble Supreme Court in ***State of Uttar Pradesh & Another v. Gaurav Kumar & Others, 2025 SCC OnLine SC 1069***, after considering the Sustainable Sand Mining Management Guidelines, 2016 and the Enforcement and Monitoring Guidelines for Sand Mining, 2020, has categorically held that a valid and subsisting DSR alone can constitute the basis for grant of environmental clearance as well as initiation of the mining process and that a draft DSR is virtually non est for such purposes. Reliance has also been placed upon ***Deepak Kumar v. State of Haryana, (2012) 4 SCC 629*** and ***State of Bihar v. Pawan Kumar, (2022) 2 SCC 348*** to contend

that strict environmental safeguards are mandatory before commencement of any mining activity.

- 20.** Mr. Pandey would further submit that Rule 11(22) of the Chhattisgarh Minor Mineral Ordinary Sand (Quarrying and Trade) Rules, 2025 specifically mandates compliance with all judicial pronouncements and governmental directions. Therefore, issuance of the impugned NITs in disregard of the binding law declared by the Hon'ble Supreme Court is ex facie arbitrary and illegal. It is also contended that this Court, while deciding W.P.(C) No.1970 of 2026, by order dated 15.05.2026, had already quashed a similar Notice Inviting Tender issued by the Collector (Mining), District Janjgir-Champa, on identical grounds. Since the present NITs also suffer from the very same legal infirmity, they deserve to be quashed.
- 21.** Per contra, Mr. Vivek Sharma, learned Advocate General, assisted by Mr. Praveen Das, learned Additional Advocate General, appearing for the State/respondents No.1 to 4, vehemently opposes the writ petitions and submits that the petitions are wholly misconceived and deserve to be dismissed. He submits that the petitioners have deliberately withheld material facts from this Court. It is further submitted that the petitioners themselves admittedly participated in the respective tender processes pursuant to the impugned Notices Inviting Tender without raising any objection at the relevant point of time. Having

voluntarily participated in the auction process, they cannot now be permitted to challenge the same after being unsuccessful. It is further submitted that the reverse auction process has already been completed, the successful bidders (L-1) have been declared and consequential proceedings have substantially progressed. Therefore, no interference is warranted in exercise of the extraordinary jurisdiction under Article 226 of Constitution of India.

- 22.** Mr. Sharma further submits that the petitioners themselves admittedly participated in the respective reverse auction proceedings pursuant to the impugned Notices Inviting Tender. He contends that if the petitioners had emerged as the successful (L-1) bidders, they would not have questioned the validity of the tender process and the present challenge has been mounted only after they failed to secure the contracts. During the course of hearing, learned counsel for the petitioners fairly admitted that the present writ petitions have been instituted only after this Court rendered the judgment dated 15.05.2026 in W.P.(C) No.1970 of 2026. It is, therefore, submitted that the petitioners, having consciously participated in the tender process and having approached this Court only after the decision in W.P.(C) No.1970 of 2026, cannot seek to reopen a tender process which had already substantially progressed. According to the learned Advocate General, the petitioners are merely attempting to take advantage of the judgment rendered in W.P.(C) No.1970 of 2026, though they had acquiesced in the tender process till then. He,

therefore, submits that the writ petitions are liable to be dismissed on the grounds of acquiescence, estoppel, delay and laches alone.

- 23.** Mr. Hemant Kesharwani, learned counsel appearing for respondent No.5 in W.P.(C) No.3216 of 2026, and Mr. Vikram Sharma, learned counsel appearing for respondent No.5 in W.P. (C) Nos.3217 of 2026, 3226 of 2026 and 3237 of 2026, jointly adopt the submissions advanced by the learned Advocate General. They further submit that the respective private respondents have participated in the auction process strictly in accordance with the terms and conditions of the Notice Inviting Tender and have been declared successful bidders after a transparent and competitive process. It is contended that no arbitrariness or illegality has been committed in the conduct of the auction, and therefore, no interference is warranted in exercise of the extraordinary writ jurisdiction under Article 226 of the Constitution of India. Accordingly, they pray for dismissal of the writ petitions.
- 24.** We have heard learned counsel for the respective parties at length, bestowed our anxious consideration to the rival submissions advanced at the Bar and carefully perused the pleadings and material available on record.
- 25.** It is not in dispute that this Court, while deciding W.P.(C) No.1970 of 2026 vide order dated 15.05.2026, had quashed the Notice

Inviting Tender dated 30.03.2026 pertaining to Village Hathnewara on the ground that there was no finalized and approved District Survey Report (DSR). However, the factual matrix of the present batch of writ petitions is clearly distinguishable. In the aforesaid case, the petitioner had approached this Court immediately after issuance of the impugned Notice Inviting Tender and before the tender process had substantially progressed. In contrast, in the present batch of writ petitions, the petitioners have approached this Court only after the judgment dated 15.05.2026 was rendered in W.P.(C) No.1970 of 2026, despite the impugned Notices Inviting Tender having been issued much earlier, namely, 15.10.2025 in W.P.(C) Nos.3180/2026 and 3186/2026, 22.10.2025 in W.P.(C) Nos.3182/2026, 3185/2026 and 3225/2026, 30.10.2025 in W.P.(C) Nos.3200/2026, 3226/2026 and 3237/2026, 04.11.2025 in W.P.(C) Nos.3210/2026, 3216/2026 and 3217/2026, and 30.03.2026 in W.P.(C) No.3243/2026. Thus, the petitioners permitted the respective tender processes to continue and approached this Court only belatedly, by which time the auction process had substantially progressed and the successful bidders had already been declared. Such unexplained delay and laches clearly distinguish the present cases from W.P.(C) No.1970 of 2026 and disentitle the petitioners from claiming discretionary relief under Article 226 of the Constitution of India.

26. The entire edifice of the petitioners' case rests upon the order

passed by this Court in W.P.(C) No.1970 of 2026. However, as noticed hereinabove, the factual matrix of the present batch of writ petitions is altogether different. In the said writ petition, the challenge was laid immediately after issuance of the Notice Inviting Tender and before the tender process had substantially progressed. In the present cases, despite the impugned Notices Inviting Tender having been issued much earlier, the petitioners chose not to assail the same at the relevant point of time and approached this Court only after the order dated 15.05.2026 was passed in W.P.(C) No.1970 of 2026. By that time, the respective tender processes had substantially progressed and valuable rights had accrued in favour of the successful bidders. Merely because relief was granted in W.P.(C) No.1970 of 2026 would not ipso facto entitle the petitioners to claim similar relief, particularly when they have approached this Court belatedly and under an entirely different factual scenario.

- 27.** It is also an admitted position that the petitioners themselves participated in the respective tender processes pursuant to the impugned Notices Inviting Tender without raising any objection to the tender conditions or the process at the relevant point of time. Having voluntarily participated in the auction proceedings, the petitioners cannot now be permitted to turn around and challenge the very tender process after declaration of the successful bidders merely because the outcome has not been favourable to them. Such conduct attracts the well-settled principles of

acquiescence, waiver and estoppel and disentitles the petitioners from invoking the equitable jurisdiction of this Court under Article 226 of the Constitution of India.

- 28.** It is also not disputed that the reverse auction process has already culminated, the successful bidders (L-1) have been declared in all the respective tenders and consequential proceedings have substantially progressed. Interference at this advanced stage would unsettle concluded contractual rights and seriously prejudice public interest.
- 29.** There is yet another aspect of the matter. The impugned Notices Inviting Tender in the present batch were issued on 15.10.2025, 22.10.2025, 30.10.2025 and 04.11.2025, whereas the petitioners approached this Court only in the year 2026 after considerable delay, by which time the tender process had substantially progressed and successful bidders had already been declared. No satisfactory explanation has been offered for such inordinate delay. The unexplained delay and laches furnish an additional ground for declining interference under Article 226 of the Constitution of India.
- 30.** Consequently, finding no merit in any of the submissions advanced on behalf of the petitioners, all the writ petitions, namely W.P.(C) Nos.3180/2026, 3182/2026, 3185/2026, 3186/2026, 3200/2026, 3210/2026, 3216/2026, 3217/2026, 3225/2026, 3226/2026, 3237/2026 and 3243/2026, deserve to be

and are hereby **dismissed**. There shall be no order as to costs.

- 31.** Since all these matters were listed in default and have been finally heard and decided on merits by this common order, the defects as pointed out by the Registry in the respective writ petitions, stand waived off.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice

Anu