IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

MONDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

HON'BLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 19441 OF 2016

Between:

Bodduru Bhusana, S/o. Ramulu, Aged 48 years, Occ: Daily Wage Earner, R/o. Ampavalli Village, Balijipeta Mandal, Vizianagaram District

...PETITIONER

AND

1. The Union of India, Rep. by its Secretary, Mines & Mineral, Room No.320-A Wing, Sastry Bhavan, Dr. Rajendra Prasad Road, New Delhi-110 001.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Industries and Commerce (M-III) Department, Andhra Pradesh Secretariat, Hyderabad.
3. The Director, Mines & Geology, Government of Andhra Pradesh, Hyderabad.
4. The District Collector, Vizianagaram District, Vizianagaram.
5. The Assistant Director, Mines & Geology, Vizianagaram, Vizianagaram District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue appropriate order or direction more particularly one in the nature of Writ of Mandamus declare Section 10A (1) of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (Act No.10 of 2015) as no application to the prospecting license

application dated 09-08-2011 of the petitioner and further declare that Sec. 10A (1) of Act No.10 of 2015 is not retrospective in its application and consequently, set aside the proceedings of the 3rd Respondent in Memo.No.1515/M-III(2)/2016, dated 09-03-2016 as it illegal, arbitrary and violation of Article 14 of the Constitution of India and further direct to Respondent No.1 and 2 to re-consider the application of the petitioner dated 09-08-2011 for grating prospecting license.

I.A. NO: 1 OF 2016(WPMP. NO: 23850 OF 2016)

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent No.1 and 2 not to proceed further for grating prospecting license to third parties in Sy.No.5 admeasuring Ac.200 in Padmapuram Village, Pachipenta Mandal.

Counsel for the Petitioner: SRI G UMA PRASAD REPRESENTING SRI S.V.S KRISHNA PRASAD

Counsel for the Respondent Nos. 2 to 5: GP FOR MINES AND GEOLOGY

Counsel for the Respondent No.1: SRI HARINATH N (DEPUTY SOLICITOR GENERAL OF INDIA)

The Court made the following: ORDER

APHC010372512016

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3310]
(Special Original Jurisdiction)

MONDAY ,THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 19441/2016

Between:

Bodduru Bhusana, ...PETITIONER

AND

The Union Of India Rep By Its Secretary and Others ...RESPONDENT(S)

Counsel for the Petitioner:

1. S.V.S KRISHNA PRASAD

Counsel for the Respondent(S):

1. GP FOR MINES AND GEOLOGY (AP)
2. HARINATH N (DEPUTY SOLICITOR GENERAL OF INDIA)

The Court made the following order:

This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

> *"....to issue appropriate order or direction more particularly one in the nature of Writ of Mandamus declare Section 10A (1(of the Mines and Minerals Development and Regulation Amendment Act ,2015 as no application to the prospecting license application dated 09.08.2011 of the petitioner and further declare that Sec.10A 1 of Act.No.10 of 2015 is not retrospective in its application and*

consequently set aside the proceedings of the 3rd Respondent in Memo No 1515/MIII2/2016 dated 09.03.2016 as it illegal arbitrary and violation of Article 14 of the Constitution of India and further direct to Respondent No.1 and 2 to reconsider the application of the petitioner dated 09.08.2011 for grating prospecting license and pass...."

2. On hearing, Mr G.Uma Prasad, learned counsel representing on behalf of Mr S.V.S.Krishna Prasad, learned counsel for the petitioner submits that learned counsel for the petitioner has given No-Objection Vakalat to the petitioner long back.

3. Upon perusal of the material on record, this writ petition is filed in the year 2016. After a lapse of 8 years, even the learned counsel for the petitioner on record has given No-Objection Vakalat to the petitioner, till date the petitioner has not taken any steps either to engage a new counsel or to appear in person to prosecute the case. It seems that the petitioner has no interest in prosecuting the case.

4. Therefore, the Writ Petition is dismissed for non-prosecution. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/- P.VINOD KUMAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to Sri S.V.S Krishna Prasad Advocate [OPUC]
2. Two CCs to GP for Mines and Geology, High Court of Andhra Pradesh. [OUT]
3. One CC to Sri Harinath N (Deputy Solicitor General of India) Advocate [OPUC]
4. Three CD Copies

TF

HIGH COURT

DATED:23/12/2024

ORDER

WP.No.19441 of 2016



DISMISSING THE W.P. FOR NON-PROSECUTION, WITHOUT COSTS