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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1621 OF 2014

Bhairavnath Earth Movers & Co. ...Petitioner
vs.
State of Maharashtra & Ors. ...Respondents

Mr.S.S.Patwardhan for the Petitioner
Ms M.P.Thakur, AGP for the respondent Nos.1 to 3

CORAM : A.S.OKA, &
 REVATI MOHITE DERE, JJ.
DATE : JULY 23, 2015

P.C.:

1 Heard the learned counsel for the petitioner and the learned AGP for the respondent Nos.1 to 3. Writ of Mandamus is prayed for in this petition directing the second and third respondents to sign necessary papers and to issue necessary orders for causing the mining lease to be granted to the petitioner for mining of Bauxite.

2 It will be necessary to make a reference to clause (1) of the order dated 8th May 2015 which reads thus:

"1 The learned AGP has placed on record a copy of the Mines and Minerals (Development and Regulations) Amendment Act, 2015, which has come into force w.e.f. 12th January 2015. The said copies, tendered along with letter dated 15th April 2015, are taken on record.

The said Act of 2015 shows that 'bauxite' is added in the list of "notified minerals". It is, therefore, contended on behalf of the respondents that procedure as prescribed by Section 10 (B) will have to be followed for grant of mining leases."

3 In view of the amendment which came into force with effect from 12th January 2015, mining lease can be granted for mining 'bauxite' only after holding an auction in accordance with section 10-B. Therefore, this writ petition cannot be entertained and the same is disposed of.

4 However, this order will not preclude the petitioner from making a fresh application to the Competent Authority as and when an occasion for making the same arises.

(REVATI MOHITE DERE, J.)

(A.S.OKA, J.)