

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-

WRIT PETITION No.1727 of 2011

ORDER:

The grievance of the petitioner – company was that the respondent authorities were proposing to impose and recover a One Time Penalty from its bills and deposits, where permits for the sand issued by the Mines Department were not produced.

A consequential direction was sought to the respondent authorities to drop all further proceedings in this regard.

By order dated 01.02.2011, this Court granted interim stay of imposition and recovery of the penalty from the bills and deposits payable to the petitioner upon being informed that interim orders had been passed to that effect in similar matters.

It is now stated by the learned counsel appearing for the parties that the issue raised in this writ petition is squarely covered by the decision rendered by this Court in W.P.No.7033 of 2010. A copy of the order dated 06.12.2012 passed in the said writ petition is placed on record.

For reasons alike as were mentioned in the above order and in terms thereof, this writ petition is disposed of directing that in case seigniorage fee on the sand utilised by the petitioner -company for the works executed by it was deducted from the bills and proof thereof is filed before the Assistant Director of Mines and Geology concerned, no penalty shall be levied.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:05.10.2015

GJ

