

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.18106 of 2010

ORDER:

The petitioner assails the action of the mining authorities in seeking to recover seigniorage charges along with a one-time penalty from its bills and deposits.

By order dated 28.07.2010, this Court directed the respondent authorities not to recover the penalty component of the demand subject to payment of the normal seigniorage charges and providing proof of evidence of such payment.

Learned Assistant Government Pleader for Mines and Geology, Andhra Pradesh, concedes that the issue arising in this writ petition is squarely covered by the decision rendered by this Court in Writ Petition No.17998 of 2012. A copy of the order dated 15.11.2012 passed in the said writ petition is placed on record.

For reasons alike as were mentioned in the said order, this writ petition is disposed of directing that in case the seigniorage fee on the sand utilised by the petitioner in the works executed by him was deducted from the bills and proof thereof is filed before the Assistant Director of Mines and Geology concerned, the penalty shall not be levied. In the event adequate proof is produced, any amounts collected by the respondents from the petitioner towards seigniorage charges or penalty shall be refunded.

Pending miscellaneous petitions shall stand closed in the light of the afore-stated final order. No order as to costs.

SANJAY KUMAR, J

Date:16.07.2015
GJ