

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.42246 of 2016

Date: 13.12.2016

Between:

NCL Industries Limited, rep.by its
Executive Director,K.Gautam,
s/o Kalidindi Madhu, Aged 35 years,
Regd & Corporate Office at 4th Floor,
Vaishnavi's Cynosure, Near Gachibowli
Fly Over, Gachibowli, Hyderabad.

.....Petitioner

and

The Union of India, rep.by its Under
Secretary to Government of India,
Ministry of Mines, New Delhi and
others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

Petitioner filed application on 31.12.2007 for grant of mining lease for limestone in about 100 acres of land in Compartment No.14, Sy.No.88/1 of Sulthanpur Reserve Forest, Mattapalli village, Mattampally Mandal, Nalgonda district. According to the petitioner, Government of India, vide their letter dated 12.06.2012 granted approval. The matter is pending before the State Government. So far no consent is given by the State Government and on account of inordinate delay, grave prejudice is caused to the petitioner.

2. Learned counsel for petitioner by pointing out provision in Section 10-A of A.P.Mines and Minerals (Development & Regulation) Act, 1957, points out that for consideration of pending applications outer limit of two years is fixed and if no licence is granted, the claim would lapse and the time available now is only up to 11.01.2017, since notification was published on 12.01.2015. Thus, on account of deliberate inaction on the part of the Government, grave prejudice is caused to the petitioner.

3. Learned Government Pleader, on instructions, would submit that the matter is under active consideration of the State Government and shortly Government would take a decision on the application filed by the petitioner and requests minimum of two weeks time to take a decision.

4. Having regard to the fact that maximum time for consideration of such application is up to 11.01.2017 and having regard to the fact that application of the petitioner has been pending since 2007 and Government of India granted approval vide letter dated 22.06.2012, I am inclined to grant only one week time to the State Government to take a decision on the application filed by the petitioner and to communicate the decision to the petitioner by a speaking order. Writ petition is disposed of accordingly.

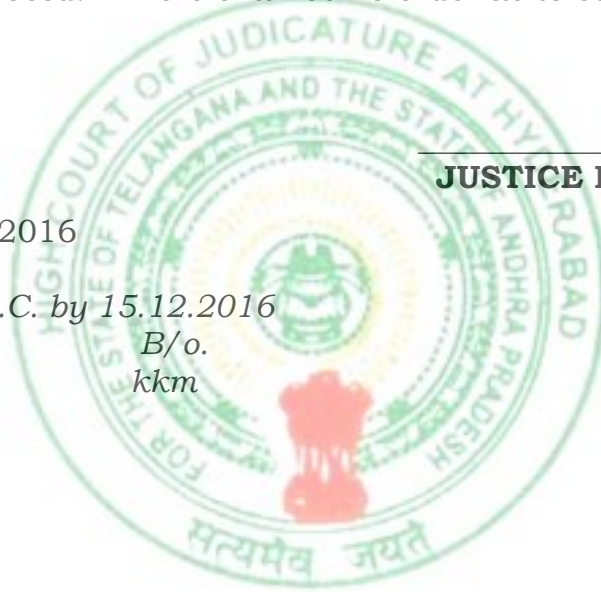
Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

Date: 13.12.2016

Note: Issue C.C. by 15.12.2016

B/o.
kkm



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