

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.201

**CWP No.12334 of 2016 (O&M)
Date of decision: 24.08.2016**

M/s Jai Yamuna Ji Developers

....Appellant

versus

Union of India and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE DEEPAK SIBAL**

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Present:- Mr. Sanjiv Gupta, Advocate
for the petitioner.

Mr. Amar Vivek, Addl.A.G., Haryana.

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S.J. VAZIFDAR, CHIEF JUSTICE (ORAL)

After arguing for some time, a prayer was made to withdraw the writ petition with liberty to file a fresh one only to challenge Rules 76 to 80 of the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals and Prevention of Illegal Mining Rules, 2012. On the basis of the said Rules, as they stand the terms and conditions on the auction, the LOI and the contract entered into between the parties, the petitioner is bound to pay the amounts to the Fund. Thus, that aspect cannot be reagitated in the fresh petition.

2. The liberty is granted to challenge the Rules. It is further clarified that even in the event of the Rules being challenged successfully, the matter may not end there. It would have to be considered whether in

that event the respondents would be bound to have the entire auction process annulled and call for fresh bids in order to give all prospective bidders an opportunity of bidding under the fresh terms of auction.

3. Dismissed as withdrawn with liberty as aforesaid.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(DEEPAK SIBAL)
JUDGE

August 24, 2016
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(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No