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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.3012 of 2017**

Krishnakar Gorakh S/o Nirmalkar Gorakh, Aged About 50 Years R/o Dayalband Chowk, Bilaspur, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Mines And Mineral Resources Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
2. Under Secretary, Mining Resources Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
3. Collector (Mining Department), Bilaspur, District Bilaspur Chhattisgarh.
4. Director, Geology And Mining, 2nd Floor, Indrawati Bhawan, Raipur, District Raipur Chhattisgarh.
5. Mining Officer, Bilaspur, District Bilaspur Chhattisgarh.

--- Respondents

For Petitioner : Mr. Prasoon Agrawal, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/12/2017**

(1) This Court by order dated 13.11.2017 had passed a final order disposing of the present writ petition, on Board. However, inadvertently, the following order of admission and issue notice was typed and uploaded on 13.11.2017 itself:

"13.11.2017

Shri Manoj Paranjpe, counsel for the petitioner.

Shri Shashank Thakur, Govt. Advocate for the State.

Heard.

Admit.

Issue notice to the respondents on payment of process fee within seven days.

List this case for final hearing in due course.”

(2) Under the circumstances, the aforesaid order of admission and issue notice, is therefore hereby recalled.

(3) The present writ petition stands disposed of in terms of the following order which was dictated on Board on 13.11.2017 itself:

(i) Learned counsel appearing for the petitioner would submit that impugned order has been passed declaring the mining lease as lapse and the said direction has been communicated to the petitioner/lessee whereas before passing of the impugned order the petitioner has not been heard as he is suffering from paralytic attack at that time.

(ii) On the other hand, counsel for the State would support the impugned order.

(iii) I have heard learned counsel appearing for the parties.

(iv) Be that as it may, the petitioner is at liberty to file application for reconsideration of the order impugned. If the application is filed by the petitioner, the State Government shall consider and decide the same and pass reasoned and speaking order

in accordance with law expeditiously preferably within a period of three weeks from the date of receipt of certified copy of this order after hearing the affected parties.

(4) With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-