

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.9130 OF 2017**

**ORDER:**

Though the order dated 05.12.2016 is challenged before this Court, learned Counsel for the petitioner submits that, as the petitioner had already availed the remedy of revision, a direction be issued to respondent No.1 to dispose of revision, as was directed by this Court in W.P.No.3522 of 2017 dated 02.02.2017.

Learned Government Pleader for Mines and Geology opposes similar order being passed in this Writ Petition on the ground that, as against the show cause notice dated 27.02.2017, petitioner failed to submit explanation and, thereby, a finding was recorded by the primary authority that there is illegal excavation.

Considering the fact that the petitioner had filed revision on 04.01.2017, interest of justice would be served in granting stay for a limited period, subject to the condition of depositing a sum of Rs.15,75,184/-, which is part of seigniorage fee, as was demanded in the impugned order dated 05.12.2016. The stay granted by this Court shall remain operative until respondent No.1 disposes of revision or stay petition whichever is earlier. Respondent No.1 shall dispose of revision within a period of three months from the date of receipt of a copy of this order. It

is made clear that the amount, as has been directed to be deposited by this Court, is subject to the final orders that may be passed by respondent No.1.

With the above observation, the Writ Petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

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**CHALLA KODANDA RAM, J**

Date:14.03.2017  
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