

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2976 of 2019**

- M/s Vananchal Minerals Private Limited, Through Its Managing Director, B. Ramaiah, S/o Shri Chandraiah, Aged About 58 Years, R/o Post And Tahsil Konta, District Sukma Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Minerals Resources, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. Director Of Mines, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
3. Collector (Mines), South Bastar, Sukma, District Sukma, Chhattisgarh

----Respondents

For Petitioner : Shri Sunil Otvani, Advocate

For Respondent/State : Shri Amrito Das, Additional A.G.

Hon'ble Shri Justice Goutam Bhaduri, Judge**Order On Board****05/09/2019**

Heard.

1. Learned counsel for the petitioner submits that an application for prospecting mining was filed before the Respondent No.3 on 22.08.2003, subsequently he was given a hearing on 03.07.2015 and thereafter no communication has been received as to what happened to the application of the petitioner.

2. Learned counsel for the respondents would submit that as per the amendment made under the Mines and Minerals (Development and Regulation Act, 1957 (for short ' the Act of 1957') Section 10 (A) lays down that all applications received prior to date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 shall become ineligible. Therefore, it is stated that under these circumstances automatically the application though may filed by the petitioner but he has become

ineligible, since the application for amendment was filed before the amendment of 2015 which came into effect on 12.01.2015.

3. Considering the facts, since it is contended that the petitioner was given a hearing on 03.07.2015 after the amendment of Section 10 (A) of the Act of 1957 came into force on 12.01.2015, at least the petitioner is eligible for the communication as to what happened to his application. Therefore, the respondents are directed to communicate the order if any passed in respect to the prosecuting application filed by the petitioner within a period of 45 days.

4. With such observation the petition stands disposed of.

Jyoti

Sd/-
(Goutam Bhaduri)
Judge