

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WRIT PETITION (C) NO. 1126 OF 2012**

- Ramesh Dakatiya, S/o Jiwanchand Dakaliya, aged about 50 years, Proprietor M/s Shivshakti Minerals, R/o 162 Sahdeo Nagar, Rajnandgaon (CG)

**... Petitioner****versus**

1. State of Chhattisgarh, through the Secretary, Mining Resources, Mantralaya, DKS Bhawan, Raipur (CG)
2. The Collector, Mining Department, District Kabirdham (CG)

**... Respondents**

|                 |   |                                  |
|-----------------|---|----------------------------------|
| For Petitioner  | : | Mr. V.K. Sharma, Advocate.       |
| For Respondents | : | Ms. Sunita Jain, Govt. Advocate. |

**Hon'ble Shri Justice P. Sam Koshy****Order on Board****15/01/2020**

1. Learned counsel for the petitioner at the outset prays for a limited relief of an appropriate direction to respondent no.2 to take a decision on the representation/application which the petitioner has made so far as granting of prospecting licence of soap stone, a minor mineral, situated at Village Chilfi in District Kawardha.
2. Learned counsel for the petitioner states that their application is pending consideration before the Collector for the last many years and their grievance would be redressed if the authorities take a decision in accordance with law on the said demand.
3. Though the respondents have filed their reply and in their reply they have also raised a ground of an alternative remedy, this Court is of the view that since the matter is pending consideration before this Court for the last almost seven years, it would be better in the larger interest of justice if the prayer of the petitioner is accepted and the respondent no.2 is directed to decide the application of the petitioner in accordance with law and the rules governing the field as it stands today.

4. Given the said facts, the present writ petition is disposed of with a direction to respondent no.2 to consider and decide the application of the petitioner which is pending since long, if it has not yet been decided, at the earliest, preferably within a period of 90 days from the date of receipt of certified copy of this order.

5. It shall be the responsibility of the petitioner to apprise the respondent no.2 regarding the order passed by this Court today.

6. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner.

7. The writ petition accordingly stands disposed of with the aforesaid direction.

/sharad/

Sd/-  
**(P. Sam Koshy)**  
**JUDGE**