

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2944 of 2020

Manish Singh Banafar, S/o. Ravindra Narayan Singh, Aged About 46 Years, R/o. Village Thathari, Tahsil Jaijaipur, Police Station Baradwar, District Janjgir Champa Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Mining, Atal Nagar, Raipur Chhattisgarh.
2. Directorate Of Geology And Mining, Indrawati Bhawan, 2nd Floor, Block 4, New Raipur Chhattisgarh.
3. Deputy Registrar, Block Jaijaipur, District Janjgir Champa Chhattisgarh.
4. The Collector, Mining Branch, District Janjgir Champa Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. P.K. Dash, Advocate.
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For State	:	Ms. Richa Shukla, Dy. Govt. Advocate
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03.12.2020

Heard

1. Learned counsel for the petitioner submits that the petitioner was initially granted a lease for Dolomite in the year 1995-96 up-till 2016, which was subsequently agreed to be renewed and documents were executed on 13.03.2020 by Annexure P-7. He would submit thereafter the lock-down intervened and the said lease deed could not be registered. Counsel further submits that the petitioner has already paid an amount of Rs.11 Lakhs through e-stamping and he is ready to pay the registration fees as would be applicable at the time of registration, however, the lease deed has not been registered.
2. Learned State counsel would submit that as per the Rule 47 of the Chhattisgarh Minor Mineral Rules, 2015 for any event if the lease deed

could not be executed within six months therefore on that ground the lease has not been executed.

3. Learned counsel for the petitioner submits that since the delay has not attributed to petitioner and lease deed could not be executed for the reason of lock-down, the petitioner has made a detailed representation to the Collector by Annexure P-10, which may be directed to be decided.
4. Considering this fact and the fact that the lock-down was prevailing from 24.03.2020 and that may be the factor the deed could not be executed. Considering the prayer made, it is directed that the Collector shall decide the representation of the petitioner Annexure P-10 in accordance with law within a period of 45 days from the date of receipt of a copy of this order.
5. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Aks