

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP 11568/2020

Date of decision:10.08.2020

M/s Associated Soapstone Distributing Co.Pvt.Ltd.

.....Petitioner

v.

State of Haryana and others.

.....Respondents

**Coram: Hon'ble Mr.Justice Jaswant Singh
 Hon'ble Mr.Justice Ashok Kumar Verma**

Present:- Mr.B.S.Rana, Senior Advocate assisted by
 Mr.Vijay Pal,Advocate for the petitioner.

Jaswant Singh,J.

[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court]

Petitioner, a Private Limited Company bagged a contract for the mines situated in Village Kalali and Kalyana, Tehsil Dadri, District Bhiwani, having an area of 64.40 hectares by offering highest bid of Rs.32,45,00,000/- per annum against the reserve price of Rs.19,05,00,000/- in the auction held on 30.12.2013. It was issued Letter of Intent on 03.01.2014(Annexure P-3). Before it could start mining, necessary permissions, including environmental clearance was required to be taken from the Government of India, Ministry of Environment and Forest. Accordingly, it applied for the environmental clearance. It was granted environmental clearance on 3.8.2015. However, the liability to pay dead rent commenced w.e.f.

3.1.2015 in view of clause 3 (i) of Letter of Intent (Annexure P-3) wherein it is categorically stipulated that payment of lease amount shall commence with effect from the date of grant of environmental clearance by the competent authority or on expiry of a period of 12 months from the date of P-3 of acceptance of highest bid/ issuance of "Letter of Intent", which ever is earlier.

The petitioner Company is aggrieved by the demand of alleged government dues of Rs.37,06,47,460/- pertaining to the period during which it could not carry out mining activity for want of environmental clearance vide order dated 4.11.2016 (Annexure P-20) passed by Director General, Mines and Geology, Haryana. Having unsuccessfully availed the legal remedy of appeal before the Administrative Secretary, Department of Mines and Geology, Haryana, which stood dismissed vide order dated 25.9.2019 (P-28) now the instant writ petition has been filed.

After arguing at length and having failed to convince the Court, learned counsel seeks permission to withdraw the writ petition.

Dismissed as withdrawn.

(Jaswant Singh)
Judge

10.08.2020.
joshi

(Ashok Kumar Verma)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No