HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

D.B. Writ Contempt No. 400/2020

Your Micron Llp, Registered Office At Block No. 130, Flora, Vorabug, Morbi (Gujarat), Through Its Partner Shri Bhavesh Kumar Dhirajlal Patel.

----Petitioner

Versus

1. Devendra Bhushan Gupta, Chief Secretary, Government Of Rajasthan, At Secretariat Jaipur - 302005, Rajasthan
2. Kunji Lal Meena, Principal Secretary, Department Of Mines, At Secretariat Jaipur - 302005, Rajasthan
3. The Joint Secretary, Mr. Om Prakash Kasera, Department Of Mines, Government Of Rajasthan, At Secretariat Jaipur - 302005, Rajasthan.
4. Gaurav Goyal, Director, Directorate Of Mines And Geology, Udaipur, At Department Of Mines And Geology, Khanij Bhawan, Shastri Circle, Udaipur (Raj.) 313001
5. Muktanand Agarwal, Commissioner Of Industries At Office Of The Commissioner Of Industries, Department Of Industries, Udhyog Bhawan, Tilak Marg, Jaipur - 302005, Rajasthan.

----Respondents

For Petitioner(s) : Mr. Aditya Singh Rathore through video conferencing

For Respondent(s) :

HON'BLE MR. JUSTICE SANGEET LODHA
HON'BLE MR. JUSTICE RAMESHWAR VYAS

Order

09/12/2020

This contempt petition has been filed by the petitioner alleging disobedience of the order 16.4.2020 passed by this Court, whereby the notifications dated 5.10.18 & 10.3.19 issued by the Department of Mines, Government of Rajasthan, putting

restriction on transportation of the mineral outside the State were quashed.

Learned counsel appearing for the petitioner submits that despite notification being quashed, the State Government has not issued the transit pass for transportation of mineral feldspar from the State of Rajasthan to other States. Learned counsel submits that omission on the part of the respondents in implementing the judgment passed by this Court also amount to the contempt of the Court.

In the considered opinion of this Court, as a result of notifications being quashed, the restriction imposed for transportation of mineral feldspar from the State of Rajasthan to other States does not survive. If the transit passes are not issued despite being applied for, it gives rise to fresh cause of action and it is always open for the petitioner to take appropriate remedy available under the law in this regard.

No case for initiating the contempt proceedings is made out.

The contempt petition is therefore, dismissed.

(RAMESHWAR VYAS),J **(SANGEET LODHA),J**

19-AK Chouhan/-