

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 5236 of 2022

*Ashish Malani*

.....

*Petitioner*

*Mr. Manoj Kumar Panda, Advocate*

Vs.

*State of Odisha and Ors.*

.....

*Opposite Parties*

*Mr. T. Pattnaik, ASC*

**CORAM:**

**DR. JUSTICE B.R. SARANGI**

**MISS JUSTICE SAVITRI RATHO**

**ORDER**

**29.03.2022**

**Order No.**

02.

This matter is taken up through hybrid mode.

2. Heard Mr. Manoj Ku. Panda, learned counsel for the petitioner and Mr. T. Pattnaik, learned Additional Standing Counsel.

3. The petitioner has filed this writ petition assailing the order dated 09.12.2021 passed by the Sub-Collector, Nuapada in Sairat Appeal Case No. 03 of 2021 dismissing the appeal preferred by the petitioner and confirmed the order dated 15.01.2021 passed by the Tahasildar, Nuapada in Sairat Misc. Case No. 05 of 2020 (06/2019).

4. Mr. Manoj Kumar Panda, learned counsel for the petitioner fairly stated that since there is dispute with regard to the over extraction of the minerals and for which royalty was demanded, this Court cannot adjudicate the same.

5. Having heard learned counsel for the parties and after going through the records, this Court is not inclined to entertain this writ petition. However, liberty is granted to the petitioner to pursue his

remedy before the appropriate forum in accordance with law as per Rule 46(5) of the Orissa Minor Minerals Concession Rules, 2016.

6. With the aforesaid liberty, the writ petition stands disposed of.

**(DR. B.R. SARANGI)**  
**JUDGE**

**(SAVITRI RATHO)**  
**JUDGE**

*Ashok /Puspa*

