

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

PUBLIC INTEREST LITIGATION NO.06 OF 2023

Samarjeet Chatterjee, Contractor (Mining), New Rajendra Nagar, Raipur (C.G.).

-VS-

Union of India, Thr. Secretary, Government of India, New Delhi and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri M. L. Vairagade, Advocate for petitioner.

Shri N. S. Deshpande, Deputy Solicitor General of India for respondent Nos.1 to 3.

Shri D. P. Thakare, Additional Government Pleader for respondent Nos.4, 6, 8 and 9.

CORAM : A. S. CHANDURKAR AND MRS VRUSHALI V. JOSHI, JJ.

DATE : June 07, 2023

1. Pursuant to the order dated 19/04/2023 the petitioner has filed an affidavit dated 24/04/2023 in terms of Rule 7 of the Bombay High Court Public Interest Litigation Rules, 2010. We have perused the said affidavit. The petitioner has also filed Civil Application No.245/2023 seeking leave to add respondent No.10 in the array of parties. It is stated that respondent No.10 would be directly affected by the consideration and adjudication of the present public interest litigation.
2. In view of aforesaid, permission is granted to implead Lloyds Metals and Energy Ltd. Thr. its Managing Director as respondent No.10 in the Public Interest Litigation. Civil Application No.245/2023 is disposed of accordingly.
3. The grievance sought to be raised in the present proceedings is with regard to expansion of mining capacity permitted by the respondent No.1 for undertaking mining of Iron Ore at village Surjagarh (Wooria Hill), Tah. Etapalli, District Gadchiroli by the respondent No.10. It is urged that the expansion exceeds 50% of the production capacity which is contrary to the Guidelines in

that regard. Further, the public hearing in the matter has been conducted without following the prescribed procedure and hence the permission for expansion of mining capacity is vitiated.

4. Issue notice, returnable in four weeks.
5. Shri N. S. Deshpande, learned Deputy Solicitor General of India waives service of notice for respondent Nos.1 to 3. Learned Additional Government Pleader waives service of notice for respondent Nos.4 to 6, 8 and 9. Shri C. S. Dharmadhikari, learned counsel waives service of notice for respondent No.10.
6. Affidavits in reply be filed within a period of four weeks.

(Mrs Vrushali V. Joshi, J.)

(A. S. Chandurkar, J.)

Asmita