Serial No. 13
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 90 of 2021 with
MC[WP(C)] No. 92 of 2023

Date of Order: 08.04.2024

1. Komorrah Limestone Mining
Company Limited (KLMC),
Having its Registered office at
207, Upper Lachumiere,
Shillong-793001,
East Khasi Hills District,
Meghalaya.

2. Shri. Rahul Dev Sharma,
Son of (L) Kishori Lal Sharma,
Managing Director,
Komorrah Limestone Mining
Company Limited (KLMC),
Upper Lachumiere,
Shillong-793001,
East Khasi Hills District,
Meghalaya. ::::: **Petitioners**

-Vs-

Union of India
Represented by:-

1. The Secretary to the
Government of India,
Ministry of Mines.

2. Regional Controller of Mines,

Indian Bureau of Mines,
Ministry of Mines,
Government of India.

3. Senior Mining Geologist,
Indian Bureau of Mines,
Ministry of Mines,
Government of India.

The Government of Meghalaya,
Represented by:-

4. The Chief Secretary to the
Government of Meghalaya.

5. The Divisional Forest Officer,
Department of Forest and
Environment,
Government of Meghalaya.

6. The Director,
Directorate of Mineral Resources,
Government of Meghalaya. ::::: **Respondents**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. L.M. Sangma, Adv.
Ms. L.D.N. Thangkhiew, Adv. vice
Mr. S.P. Mahanta, Sr. Adv.

For the Respondent(s) : Dr. N. Mozika, DSGI. with
Ms. K. Gurung, Adv. for R 1-3.
Mr. K.P. Bhattacharjee, GA. for R 4-6.

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i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication

in press: Yes/No

ORAL:

1. Heard Mr. L.M. Sangma, learned counsel for the petitioner, who has produced communication No. IBM/GHY/EKH/LST/MS-2 dated 23.8.2018, the same being brought on record and marked as Annexure-X. The learned counsel has submitted that in view of the remarked at Clause 16 of the said communication, wherein it is stated that:

> ***"16.*** *The next Review and Mining Plan for the subsequent remaining period of the lease upto 24.5.2023 shall become due on 02.10.2022".*

Since the lease of the petitioner Company has not been renewed in the meantime, irrespective of the fact that the period of lease having expired on 24.05.2023, this petition has therefore become infructuous.

2. Dr. N. Mozika, learned DSGI appearing on behalf of the respondent Nos. 1-3 as well as Mr. K.P. Bhattacharjee, learned GA appearing on behalf of the State respondent Nos. 4-6 has submitted that, though, there is no objection to the prayer made by the learned counsel for the petitioner, it is to be noted that there are also proceedings against the petitioner Company in criminal courts, and such proceedings may not be affected by any decision made by this Court.

3. On consideration of the submission made, the prayer of the

petitioner is allowed. This petition is hereby dismissed as withdrawn on the same being rendered infructuous.

4. Needless to say, any criminal proceedings contemplated or enforced against the petitioner Company before any criminal court of competent jurisdiction, will not be affected by any order passed in this case.

5. Matter disposed of.

Judge

Meghalaya
08.04.2024
"D. Nary, PS"