

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13964 OF 2024

Panditrao Mines and Minerals Private Limited	...Petitioner
Versus	
The Government of India	
Ministry of Environment, Forest and	
Climate Change, Impact Assessment Division	
And Anr.	...Respondents

Dr. Virendra Tuljapurkar, Sr. Advocate, a/w Mr. Abhijit Desai i/b Prashant S. Bhavake for the Petitioner.
Mr. Parag A. Vyas for Respondent No.1 -UoI.

**CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.**

DATE : 5 FEBRUARY 2025

P.C.:

1. We have heard the learned counsel for the parties on the present proceedings. We find that the show cause notice was issued to the petitioner 15 March 2018 and thereafter the second show cause notice was issued to the petitioner on 6 March 2023 by the Ministry of Environment, Forest and Climate Change IA-II (Non Coal Mining), Government of India under Section 5 of the Environment (Protection) Act, 1986. The show cause notices are duly replied. However, the same are not being decided. Even the reply to the show cause was filed by the petitioner on

21 March 2023, which almost two years back. It is the petitioner's case that in these circumstances, a serious prejudice is being caused to the petitioner. It is submitted that there is also a likelihood that the mining licence granted to the petitioner would lapse, as the petitioner is not in a position to undertake any mining activities in view of the impugned action as initiated by respondent no.1.

2. Considering such contentions and that for a substantial time adjudication of the show cause notices is not being taken up, in our opinion, it would be appropriate that the show cause notices are decided at the earliest.

3. For effective adjudication of the show cause notices, we also permit the petitioner to submit an additional reply to the show cause notices so that all contentions as raised by the petitioner in the present proceedings are also subject matter of consideration in taking an appropriate decision on the show cause notices.

4. In the aforesaid circumstances, at this stage of the proceedings, we pass the following order:

- (i) Let the authority issuing the show cause notices grant a personal hearing to the petitioner on the show cause notices. The date of personal hearing to be fixed, be informed to the petitioner within five days from today.

(ii) The orders to be passed on the show cause notices be placed on record of this Court on the adjourned date of hearing.

(iii) All contentions of the parties on adjudication of the show cause notices are expressly kept open.

5. Mr. Vyas, learned counsel for the respondent shall forward this order of the Court, to the Authority which has issued the show cause notices.

6. Ordered accordingly.

7. List the proceedings on **26 February 2025 (H.O.B.)** under the caption 'For Directions'.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]