IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.4561 of 2012

Bharat Coking Coal Limited a Government Company within the meaning of section 617 of the Companies Act having its office at Koyla Bhawan, P.O. Koyla Nagar district Dhanbad through Sri Prem Sagar Mishra, S/o late Ram Nath Mishra, General Manager, Barora Area of BCCL resident of quarter No. D-1, Harina Bagan Colony, P.O. Nawagarh, P.S. Muraidih, District-Dhanbad, PIN-828306

... ... **Petitioner**

Versus

1. State of Jharkhand through its Additional Chief Secretary, Government of Jharkhand, Department of Mines and Geology, Nepal House, Doranda, Ranchi.
2. Certificate Officer, Dhanbad Mines Circle, Dhanbad, P.O. and P.S. Dhanbad, District Dhanbad.
3. District Mining Officer, Dhanbad, P.O., P.S. and District-Dhanbad

… ... Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MANOJ PRASAD

For the Petitioner : Mr Anoop Kumar Mehta, Advocate
Mr Pratyush, Advocate
For the Respondent-State : Mr Gaurang Jajodia, AC to GP-II

Order No.14/ Dated: 02.11.2026
***Per* M.S. Sonak, C.J.**

1. Heard Mr Anoop Kumar Mehta, who appears with Mr Pratyush for the petitioner and Mr Gaurang Jajodia, learned AC to GP-II for the State.

2. This petition was filed to quash order dated 21.03.2012 made by the 2nd respondent in Certificate Case No. 5 B/01-02 (Annexure-I) requiring the petitioner to pay principal amount of Rs.29,74,242/-, interest of Rs.74,78,381/- and talwana fees totaling Rs.1,04,23,012/-.

3. Now, Mr Mehta invites the Court's attention to the supplementary affidavit filed on behalf of the petitioner by Mr Kunj Bihari, Assistant Manager (Finance). He submits that the petitioner has already made the payment of difference of royalty amount as well as interest on 31.03.2025 and therefore, the relief in this petition is rendered infructuous. Mr Mehta however submitted that the question of law raised in this petition may be kept open for adjudication in an appropriate case.

4. Paragraphs 3, 4, 5 and 6 of the affidavit dated 02.07.2026 filed on behalf of the petitioner are relevant and therefore, the same are transcribed below for the convenience of reference:

> *"3. That this writ application has been filed for quashing the Order dated 21.03.2012 passed by the Ld. Certificate Officer, Dhanbad Mines Circle, Dhanbad in Certificate Case No. 5B / 01-02.*
> *4. That during pendency of this writ application the petitioner has made payment of difference of Royalty amount towards principal as Interest amounting to Rs. 2,70,97,923.00 on 31.03.2025 through e-Challan bearing GRN2501494849 dated 31.03.2025 in the Office of Deputy Director of Mines cum Certificate Officer Dhanbad.*
> *5. That the point raised in the writ application by the petitioner is that under section 9 of the MMDR Act, 1957 the Mining Lessee, here the writ petitioner is liable to pay Royalty on Coal as per Grade Notification existing on the date of dispatch. Petitioner submits that this issue has been set at rest by a judgment dated 04.06.2026 by the Hon'ble Supreme Court of India in the case of* ***The Director of Mines and Geology Vs. M/s BMM ISPAT LTD. & ANR. Reported in 2026 Live Law (SC) 600*** *wherein the Apex court held in paragraph 13 that payment is to be made on the date of movement of minerals.*
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> *In the instant case of the petitioner the rate of Royalty on the date of dispatch had reduced on 01.04.1999 from Grade IV to Grade D and also on dispatch of Grade III Coal to Grade C.*
> *6. That since petitioner has made payment of the Certificate Amount together with upto date Interest on 31.03.2025, the writ application has been rendered Infructuous. However, the*

question of Law raised in the writ application may be allowed to be kept open for adjudication in appropriate case in the light of the judgment rendered in the case of ***The Director of Mines and Geology Vs. M/s BMM ISPAT LTD. & ANR. Reported in 2026 Live Law (SC) 600****."*

5. Considering the above submissions as also the statements in the affidavit on behalf of the petitioner, this petition is disposed of as infructuous. However, all contentions of all parties on law are explicitly left open for adjudication in appropriate case, if and when such occasion arises.

6. This petition is disposed of in the above terms without any order for costs.

7. Interim order, if any, are vacated vacated.

(M. S. Sonak, C.J.)

(Manoj Prasad, J.)

November 2nd, 2026
Madhav/ Nandini-