IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 8612 of 2026

Manoj Kumar Gond, aged about 40 years, son of Shyamlal Gond, resident of Village- Sharkol, P.O.& P.S.- Gokulpur, District- Pakur.

... ... Petitioner

Versus

1. State of Jharkhand.
2. Jharkhand State Pollution Control Board, through its Chairman, having their office at H.EC, Dhurwa, P.O. and P.S. Dhurwa, District Ranchi (Jharkhand).
3. The Chairman, State Environment Impact Assessment Authority (SEIAA), Jharkhand, Dhurwa Nursery Complex, Near Dhurwa Bus Stand, P.O. and P.S. Dhurwa, District Ranchi (Jharkhand).
4. The Member Secretary, State Environment Impact Assessment Authority (SEIAA), Jharkhand, Dhurwa Nursery Complex, Near Dhurwa Bus Stand, P.O. and P.S. Dhurwa, District Ranchi (Jharkhand).
5. The Secretary, Department of Industries, Mines and Geology, having its office at Yojna Bhawan, P.O. and P.S. Doranda, District Ranchi (Jharkhand).
6. The Director, Mines Directorate, Department of Mines and Geology, Government of Jharkhand, having its office at Yojna Bhawan, P.O. and P.S. Doranda, District Ranchi (Jharkhand).
7. Deputy Commissioner, Pakur, having its office at District Collectorate, Pakur, P.O. & P.S. Pakur, District Pakur, (Jharkhand).
8. District Mining Officer, Pakur, having its office at District Collectorate, Pakur, P.O. & P.S. Pakur, District Pakur, (Jharkhand).

… ... Respondents

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioner	:	Mr P.A.S. Pati, Advocate
		Ms Vaishnavi Kaushik, Advocate
For Resp. Nos. 1, 5 to 8	:	Ms Neeharika Mazumdar, AC to AG
For Respondent No. 2	:	Ms Richa Sanchita, Advocate
		Mr Vidhan Kumar Singh, Advocate
For Respondent No. 3	:	Mr Bhanu Kumar, Advocate
		Mr Anuj Sarwesh, Advocate

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02 /Dated: 23.11.2026

1. Heard Mr P.A.S.Pati, who appears with Ms Vaishnavi Kuashik, learned counsel for the petitioner; Ms Neeharika Mazumdar, learned AC to AG for respondent Nos. 1, 5 to 8; Ms Richa Sanchita, learned counsel for the 2nd respondent; and Mr Anuj Sarwesh, learned counsel for the 3rd respondent.

2. This petition raises a grievance about the non-disposal of the petitioner's application for grant of environmental clearance for a mining lease area in the district of Pakur.

3. Mr Pati, learned counsel for the petitioner, pointed out that the Terms of Reference (ToR) were forwarded on 21.08.2024 and, till date, no formal order has been passed to dispose of the reference.

4. Mr Pati has very fairly placed on record Letter No. 225 dated 21.10.2026 addressed by the 3rd respondent, i.e. the State Level Environment Impact Assessment Authority, Jharkhand, informing the petitioner's advocate that the petitioner's application and the consequent ToR have been rendered infructuous consequent upon the cancellation of the mining lease earlier awarded to the petitioner.

5. Mr Pati pointed out that the petitioner has already challenged the cancellation of the mining lease by taking out appropriate proceedings before the appropriate Authority. He submits that if the lease is restored, then the 3rd respondent would be duty-bound to decide the petitioner's application for grant of environmental clearance or to dispose of the ToR.

6. If and when the mining lease is restored, the petitioner always has the liberty to take appropriate steps to secure environmental clearance in accordance with the law. However, given the subsequent development that the mining lease granted to the petitioner has been cancelled, there is no point in directing any of the respondents to dispose of the petitioner's application for environmental clearance or the ToR on the merits.

7. Mr Pati submitted that liberty be given to the petitioner to apply for revival of the application seeking environmental clearance because, according to him, public hearing is already concluded on 28.08.2025 and the

report of such hearing remains valid for three years. Mr Bhanu Kumar, for the third respondent, disputes this position and submits that the petitioner would have to apply for environmental clearance afresh, if and when the mining lease is restored. He maintained that the present ToR is rendered infructuous and cannot be acted upon.

8. At this stage, it is not for us to adjudicate or pronounce upon the above rival positions. Liberty is already granted to the petitioner to take appropriate steps to secure environmental clearance in accordance with the law. It would be too premature to decide on the nature of "appropriate steps" at this stage. Therefore, all contentions of all parties in this regard are kept open.

9. Therefore, by giving the petitioner liberty to take appropriate steps if and when the petitioner's mining lease is revived, we dispose of this petition.

10. There shall be no order for costs.

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

(Pradeep Kumar Srivastava, J.)

November 23, 2026
R.Kr. / RC
NAFR
Uploaded on 25.11.2026