IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32993 of 2026

CNR No. ODHC010791832026

M/s. Serajuddin and Co., Kolkata and another .... ***Petitioners***

Mr. Ashok Kumar Parija, Senior Advocate
assisted by Mr. Venugopal Mahapatra, Advocate

-Versus-

State of Odisha and others .... ***Opposite Parties***

Mr. Kailash Chandra Kar, Government Advocate

CORAM:
HON'BLE THE CHIEF JUSTICE
AND
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER

Order No. **12.11.2026**
04.

1. The petitioners have filed the writ petition challenging the action of opposite parties in blocking the access to Integrated Mines and Mineral Management System portal ("i3MS portal") as a means of coercive measure for compelling the petitioners to pay alleged dues and demand towards interest raised in Letter No.V(A)/06/2026/4103/Mines dated 05.10.2026 *(Annexure-15)*.

2. Mr. Ashok Kumar Parija, learned Senior Advocate assisted by Mr. Venugopal Mahapatra, learned Advocate submitted that access of petitioner No.1 to i3MS portal remained blocked, among other periods, from 31.03.2023 to 13.09.2023 and continuously for 582 days from 15.08.2024 to 20.03.2026. During these periods, no transit permit could be generated and no mineral could be dispatched from the Mines. It is explained that

due to unforeseen events during Covid-19 Pandemic, there was cessation of dispatch activity from the Mines as a result of which there was delay on the part of the lessee/petitioners in fulfilling the terms and conditions of lease agreement. The Covid-19 Pandemic, being declared *force majeure,* the present impasse fell within the ambit of Rule 12(1)(ff) of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016. It is, therefore, submitted that during the periods of closure, petitioner No.1 kept the authorities informed by repeated representations dated 03.03.2022, 02.01.2025, 22.01.2025, 18.02.2025, 04.06.2025, 28.10.2025 and 14.11.2025. Despite making the authorities aware of impossibility in compliance of the terms and conditions of lease agreement, petitioner No.1 was served with a demand notice for payment of interest on the delayed payment of differential premium in respect of Balda Iron Block. In response thereof, a further representation dated 09.10.2026 was submitted to the Deputy Director of Mines, Joda Circle in the District of Kendujhar with a request for reassessment of interest on delayed payment of differential premium for quarter ending March 2022 and quarter ending March 2023. By letter dated 09.10.2026, the said authority directed petitioner No.1 to remain present on 22.10.2026 for reconciliation of the interest amount and by memo No.4226/Mines dated 09.10.2026, the Director of Mines and Geology, Steel and Mines Department was informed that the payment of interest be kept in abeyance until 22.10.2026.

3. This Court by order dated 16.10.2026 passed the following order:

"xxx xxx xxx

4. *However, Mr. K.C. Kar, learned Government Advocate for the State-opposite parties, on instructions, submits that so far as the amount pertaining to the quarter ending March, 2023 is concerned, there appears to be some discrepancies for which the recalculation would be made by the authorities and after taking into account all the aspects, a fresh demand notice would be issued upon the petitioners. So far as the amount shown for a quarter ending March, 2022 is concerned, according to Mr. Kar, learned Government Advocate, there is no discrepancy having found therein.*

xxx *xxx* *xxx*

7. *In view of the stand taken before us and considering the case made out by the petitioners, we find a prima facie case in this regard for an interim protection. Accordingly, we direct the petitioner to deposit 50% of the amount determined for the quarter ending March, 2022 within two weeks from date. The amount so deposited earlier, as indicated above, shall be adjusted against the deposit of 50% of the said amount in the event the authorities found the same to have been deposited.*

8. *So far as the amount pertaining to quarter ending March, 2023 is concerned, since the learned Government Advocate has fairly submitted, on instructions, that it requires a re-verification and/or a calculation for which the date has already been fixed, it implies that the authorities would not take any steps for non-deposit of the said amount against the petitioners. Since we have directed deposit of 50% of the said amount relating to quarter ending March, 2022 to be deposited within two weeks from date, there shall be an unconditional order of injunction against the authorities in taking any steps against the petitioners in relation thereto for a period of two weeks from date."*

4. Despite such order and deposits being made in compliance of order, access of the petitioner No.1 to i3MS portal was again blocked from midnight of 30.10.2026 and petitioner No.1 was prevented from generating transit passes. The Petitioner No.1 in this connection has submitted another representation on 31.10.2026 apprising the authority that it has already deposited an amount of Rs.10.00 crores towards advance interest and an amount of Rs.15,01,90,264/- has also been deposit in compliance with order dated 16.10.2026 passed by this Court and requested to permit petitioner No.1 to operate the i3MS portal. It is contended that the authorities have failed to apply rational mind by considering the representations submitted by petitioner No.1.

5. Mr. K.C. Kar, learned Government Advocate is not in a positin to defend such contention of Mr. Ashok Kumar Parija, learned Senior Advocate.

6. Heard Mr. Ashok Kumar Parija, learned Senior Advocate assisted by Mr. Venugopal Mahapatra, learned Advocate for the petitioners and Mr. K.C. Kar, learned Government Advocate for the State.

7. On perusal of demand notice dated 05.10.2026 *(Annexure-15)* and letter dated 03.11.2026 of the Deputy Director of Mines, Joda Circle, Kendujhar *(Annexure-26)*, it is apparent that the representations of petitioner No.1 submitted earlier and the representation dated 31.10.2026 has not been taken into consideration in proper perspective; yet revised demand of interest has been raised. This Court is, therefore, inclined to show indulgence in the matter and set aside the demand notice dated

05.10.2026 issued by the Deputy Director of Mines, Joda Circle, Kendujhar *vide* Annexure-15 and revised demand notice dated 03.11.2026 issued by the Deputy Director of Mines, Joda Circle, Kendujhar *vide* Annexure-26. The Deputy Director of Mines, Joda Circle, Kendujhar is directed to take a decision afresh after hearing the petitioners or representative(s) and determine the demand by taking into consideration the representations of petitioner No.1. Decision taken in this connection shall be communicated to the petitioners. Since petitioner No.1 has stated to have deposited the requisite amount as directed, subject to verification, the blocked i3MS portal shall be unblocked forthwith.

8. With the aforesaid observations, the writ petition along with pending Interlocutory Application(s), if any, is disposed of.

(Harish Tandon)
Chief Justice

(Murahari Sri Raman)
Judge

Rabi

Signature Not Verified
Digitally Signed
Signed by: RABINDRA KUMAR MISHRA
Designation: Personal Assistant
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 13-Nov-2026 12:20:54