2026:AHC:207957-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 32498 of 2026

M/S Natural Builders Private Ltd And Another

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Syed Mohd. Fazal, Sr. Advocate
Counsel for Respondent(s)	:	C.S.C.

Court No. - 21

HON'BLE ARINDAM SINHA, J.
HON'BLE SATYA VEER SINGH, J.

1. Mr. Syed Mohd. Fazal, learned advocate for petitioners. Prayer (I) is reproduced below.

> *"1. To issue a writ, order or direction in the nature of certiorari quashing the impugned communication order dated 12.06.2026 passed by the respondent no.3 (Annexure No.1) and also quash the order dated 11.06.2026 passed by the Respondent No.2 in the note sheet of the file after summoning the same in original from the respondents."*

His client had storage licence. It was not renewed. Meanwhile, mined material which was stored by his client was illegally confiscated.

2. Under challenge is order dated 12th June, 2026 issued by office of respondent no. 2 (the District Magistrate). It cites as reason for confiscation, expiry of storage licence and it not having been renewed because allegedly his client did not submit character and loan repayment certificates. On query Mr. Fazal submits, his client's fresh character certificate was issued on 15th June, 2026, 3 days after impugned order was made. He seeks interference.

3. Mr. Piyush Shukla, learned advocate, Standing Counsel appears for State. He opposes the writ petition.

4. English translation of reason paragraph in impugned order dated 12th June, 2026 is reproduced below.

"It is provided in point number 2 (four and five) of Government Order No. 3161/86-2018-183/2011 dated 31.12.2018 that the applicant will have to submit character certificate and loan repayment certificate of not less than 10 percent royalty of the quantity of stored mineral applied for."

We have before us petitioner's fresh character certificate dated 15th June, 2026 disclosed at page 53. Further submission on behalf of petitioners is, renewal of storage licence requires fresh character certificate but no requisition was made to his client.

5. Petitioner will make representation to respondent no. 2 (the District Magistrate) stating relevant facts, for renewal of his storage licence. He will enclose certified copy of this order and relevant documents, including those mentioned above. Said respondent is to reconsider and pass fresh order since, petitioner has subsequently obtained fresh character certificate. For the purpose, impugned order dated 12th June, 2026 is set aside and quashed and consequently the confiscation order as well. Decision taken on the renewal be informed to petitioner within two weeks of the communication.

6. The writ petition is disposed of.

(Arindam Sinha,J.)

(Satya Veer Singh,J.)

October 5, 2026
Jaswant

Digitally signed by :-
JASWANT KUMAR
High Court of Judicature at Allahabad