

ITEM NO.301

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).114/2014

COMMON CAUSE

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

(1) CENTRAL EMPOWERED COMMITTEE REPORT ALONGWITH INTERLOCUTORY APPLICATIONS AND OBJECTIONS TO CEC REPORT FILED BY SARDA MINES PVT. LTD., RUNGTA GROUP OF COMPANIES AND ESSEL MINING AND INDUSTRIES LTD.

WITH

SLP(C) No.23644/2016

(WITH APPLN.(S) FOR IMPLEADMENT, FOR ADDITIONAL DOCUMENTS, INTERVENTION APPLICATION)

SLP(C) Nos.26984-26985/2016

(WITH APPLN.(S) FOR ADDITIONAL DOCUMENT)

Date : 24-09-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Advocate (A.C.)(NP)

Mr. A.D.N. Rao, Advocate (A.C.)

Mr. Sudipto Sircar, Adv.

Mr. Siddhartha Chowdhury, Advocate (A.C.)

Ms. Aparajita Singh, Advocate (A.C.)(NP)

For Petitioner(s)

Mr. Prashant Bhushan, AOR

Mr. Pranav Sachdeva, Adv.

Mr. Rahul Gupta, Adv.

23644

Mr. Shibashish Misra, AOR

26984

Mr. Sridhar Potaraju, AOR

Ms. Sindoor VNL, Adv.

Ms. Shiwani Tushir, Adv.

For Respondent(s)

Odisha

Mr. Rakesh Dwivedi, Sr. Adv.

Ms. Kirti R. Mishra, AOR
 Ms. Sansriti Pathak, Adv.
 Ms. Apurva Upmanyu, Adv.
 Mr. Eklavya Dwivedi, Adv.

Sarda Mines

Mr. Mukul Rohatgi, Sr. Adv.
 Mr. Gopal Jain, Sr. Adv.
 Mr. Saurabh Kirpal, Adv.
 Mr. Naveen Kumar, AOR
 Mrs. Nandini Gore, Adv.
 Ms. Khushboo Bari, Adv.
 Ms. Natasha Sahrawat, adv.
 Ms. Neha Khandelwal, Adv.
 Ms. Sushil Jethmalani, Adv.

Ms. V. Mohana, Sr. Adv.
 Mr. A.K. Panda, Sr. Adv.
 Mr. Gurmeet Singh Makker, AOR
 Mr. Balendu Shekhar, Adv.
 Mr. P.K. Mullick, Adv.
 Mr. Atulesh Kumar, Adv.
 Mr. Raj Bahadur, Adv.
 Mr. B.K. Prasad, AOR

FIMI

Mr. Sunil Dogra, Adv.
 Mr. Vivek Vishnoi, Adv.
 Mr. Abhishek Sharma, Adv.

SLP 23644

Mr. Tushar Mehta, ASG
 Mr. Sanjay Kapur, Adv.
 Mr. Anil Kumar, Adv.
 Ms. Mansi Kapur, Adv.
 Ms. Shubhra Kapur, Adv.

SLP 23644

Mr. Sanjai Kumar Pathak, Adv.
 Mr. Baij Nath Patel, Adv.
 Ms. Akanksha Kaul, Adv.
 Mr. G.S. Makker, Adv.

SLP 23644

Mr. Sameer Parekh, Adv.
 Ms. Pratyusha Priyadarshini, Adv.
 Ms. Malvika Bhanot, adv.
 for M/s Parekh & Co.

Ms. Vanita Bhargava, Adv.
 Mr. Ajay Bhargava, Adv.
 Ms. Shweta Kabra, Adv.
 for M/S KHAITAN AND CO.

SLP23644
 26984

Mr. Manoj K. Singh, Adv.
 Mr. Anurag Abhishek, Adv.
 Mr. Prem Prakash, AOR

(OMC)

Mr. Raj Kumar Mehta, AOR
Ms. Himanshi Andley, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Arguments heard in part as regards submission of
Sarda Mines Pvt. Ltd.

List the matters on 1st October, 2018 at the end of
the Board as part-heard matter.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR

ITEM NO.301

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R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).114/2014

COMMON CAUSE

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

(2) IA NO. 139365/2017 (APPLN. FOR DIRECTIONS ON B/O ODISHA MINING CORPN. LTD.)

Date : 24-09-2018 This application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Advocate (A.C.)(NP)

Mr. A.D.N. Rao, Advocate (A.C.)
Mr. Sudipto Sircar, Adv.

Mr. Siddhartha Chowdhury, Advocate (A.C.)

Ms. Aparajita Singh, Advocate (A.C.)(NP)

For Petitioner(s) Mr. Prashant Bhushan, AOR
Mr. Pranav Sachdeva, Adv.
Mr. Rahul Gupta, Adv.

For Respondent(s)
Odisha Mr. Rakesh Dwivedi, Sr. Adv.
Ms. Kirti R. Mishra, AOR
Ms. Sansriti Pathak, Adv.
Ms. Apurva Upmanyu, Adv.
Mr. Eklavya Dwivedi, Adv.

Sarda Mines Mr. Mukul Rohatgi, Sr. Adv.
Mr. Gopal Jain, Sr. Adv.
Mr. Saurabh Kirpal, Adv.
Mr. Naveen Kumar, AOR
Mrs. Nandini Gore, Adv.
Ms. Khushboo Bari, Adv.
Ms. Natasha Sahrawat, adv.
Ms. Neha Khandelwal, Adv.
Ms. Sushil Jethmalani, Adv.

Ms. V. Mohana, Sr. Adv.

Mr. A.K. Panda, Sr. Adv.
 Mr. Gurmeet Singh Makker, AOR
 Mr. Balendu Shekhar, Adv.
 Mr. P.K. Mullick, Adv.
 Mr. Atulesh Kumar, Adv.
 Mr. Raj Bahadur, Adv.
 Mr. B.K. Prasad, AOR

FIMI

Mr. Sunil Dogra, Adv.
 Mr. Vivek Vishnoi, Adv.
 Mr. Abhishek Sharma, Adv.

Ms. Vanita Bhargava, Adv.
 Mr. Ajay Bhargava, Adv.
 Ms. Shweta Kabra, Adv.
 for M/S KHAITAN AND CO.

139365
 (OMC)

Mr. Dushyant A. Dave, Sr. Adv.
 Mr. Raj Kumar Mehta, AOR
 Ms. Himanshi Andley, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

It is stated by learned counsel for the Odisha Mining Corporation Limited (applicant, herein) and an affidavit has been handed over in Court today to the same effect, that all payments have been made by the applicant.

This is confirmed by learned counsel for the State of Odisha.

It is further stated that all necessary permissions have been obtained.

This is also confirmed by learned counsel for the State of Odisha.

Under the circumstances, since the payment has been made and permissions granted, the Odisha Mining Corporation Limited may be permitted to resume mining.

It is made clear by learned counsel for the applicant that the payment has been made subject to the decision in the revision petition.

Application stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR

ITEM NO.301

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R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).114/2014

COMMON CAUSE

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

(5) IA NOS. 111973 AND 136382/2018 (APPLNS. FOR CONDONATION OF DELAY AND PLACING ON RECORD ADDL. DOCUMENTS ON B/O TARINI MINERALS)

(6) IA NOS. 111982/2018 (APPLNS. FOR CONDONATION OF DELAY ON B/O TARINI MINERALS)

Date : 24-09-2018 These applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Advocate (A.C.)(NP)

Mr. A.D.N. Rao, Advocate (A.C.)

Mr. Sudipto Sircar, Adv.

Mr. Siddhartha Chowdhury, Advocate (A.C.)

Ms. Aparajita Singh, Advocate (A.C.)(NP)

For Petitioner(s)

Mr. Prashant Bhushan, AOR

Mr. Pranav Sachdeva, Adv.

Mr. Rahul Gupta, Adv.

For Respondent(s)

Odisha

Mr. Rakesh Dwivedi, Sr. Adv.

Ms. Kirti R. Mishra, AOR

Ms. Sansriti Pathak, Adv.

Ms. Apurva Upmanyu, Adv.

Mr. Eklavya Dwivedi, Adv.

Sarda Mines

Mr. Mukul Rohatgi, Sr. Adv.

Mr. Gopal Jain, Sr. Adv.

Mr. Saurabh Kirpal, Adv.

Mr. Naveen Kumar, AOR

Mrs. Nandini Gore, Adv.

Ms. Khushboo Bari, Adv.

Ms. Natasha Sahrawat, adv.
Ms. Neha Khandelwal, Adv.
Ms. Sushil Jethmalani, Adv.

Ms. V. Mohana, Sr. Adv.
Mr. A.K. Panda, Sr. Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. Balendu Shekhar, Adv.
Mr. P.K. Mullick, Adv.
Mr. Atulesh Kumar, Adv.
Mr. Raj Bahadur, Adv.
Mr. B.K. Prasad, AOR

FIMI

Mr. Sunil Dogra, Adv.
Mr. Vivek Vishnoi, Adv.
Mr. Abhishek Sharma, Adv.

110418,132667,
111982,111973
136382

Mr. Naveen Kumar, AOR
Mr. Prabhat Kumar Raj, Adv.
Mr. Kartik Krishan Sood, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel for the applicant(s) says that all payments have been made.

This is confirmed by learned counsel for the State of Odisha.

Subject to clearances being obtained, the applicant(s) may be permitted to resume mining.

Applications stand disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR

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R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).114/2014

COMMON CAUSE

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

(3) IA NO. 110418/2018 AND IA NO. 132667/2018 (APPLNS. FOR
CONDONATION OF DELAY AND FOR PLACING ON RECORD ADDITIONAL DOCUMENTS
ON B/O GEETA RANI MOHANTY)

Date : 24-09-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Advocate (A.C.)(NP)

Mr. A.D.N. Rao, Advocate (A.C.)
Mr. Sudipto Sircar, Adv.

Mr. Siddhartha Chowdhury, Advocate (A.C.)

Ms. Aparajita Singh, Advocate (A.C.)(NP)

For Petitioner(s) Mr. Prashant Bhushan, AOR
Mr. Pranav Sachdeva, Adv.
Mr. Rahul Gupta, Adv.

For Respondent(s)
Odisha Mr. Rakesh Dwivedi, Sr. Adv.
Ms. Kirti R. Mishra, AOR
Ms. Sansriti Pathak, Adv.
Ms. Apurva Upmanyu, Adv.
Mr. Eklavya Dwivedi, Adv.

Sarda Mines Mr. Mukul Rohatgi, Sr. Adv.
Mr. Gopal Jain, Sr. Adv.
Mr. Saurabh Kirpal, Adv.
Mr. Naveen Kumar, AOR
Mrs. Nandini Gore, Adv.
Ms. Khushboo Bari, Adv.
Ms. Natasha Sahrawat, adv.
Ms. Neha Khandelwal, Adv.
Ms. Sushil Jethmalani, Adv.

Ms. V. Mohana, Sr. Adv.
Mr. A.K. Panda, Sr. Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. Balendu Shekhar, Adv.
Mr. P.K. Mullick, Adv.
Mr. Atulesh Kumar, Adv.
Mr. Raj Bahadur, Adv.
Mr. B.K. Prasad, AOR

FIMI

Mr. Sunil Dogra, Adv.
Mr. Vivek Vishnoi, Adv.
Mr. Abhishek Sharma, Adv.

Ms. Vanita Bhargava, Adv.
Mr. Ajay Bhargava, Adv.
Ms. Shweta Kabra, Adv.
for M/S KHAITAN AND CO.

(OMC)

Mr. Raj Kumar Mehta, AOR
Ms. Himanshi Andley, Adv.

110418,132667,
111982,111973
136382

Mr. Naveen Kumar, AOR
Mr. Prabhat Kumar Raj, Adv.
Mr. Kartik Krishan Sood, Adv.

UPON hearing the counsel the Court made the following
O R D E R

List the applications on 31st October, 2018.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR

ITEM NO.301

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).114/2014

COMMON CAUSE

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

(4) IA NO. 113096/2018 (APPLN. FOR DIRECTIONS B/O ORISSA MANGANESE AND MINERALS LTD.)

Date : 24-09-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Advocate (A.C.)(NP)

Mr. A.D.N. Rao, Advocate (A.C.)
Mr. Sudipto Sircar, Adv.

Mr. Siddhartha Chowdhury, Advocate (A.C.)

Ms. Aparajita Singh, Advocate (A.C.)(NP)

For Petitioner(s) Mr. Prashant Bhushan, AOR
Mr. Pranav Sachdeva, Adv.
Mr. Rahul Gupta, Adv.

For Respondent(s)
Odisha Mr. Rakesh Dwivedi, Sr. Adv.
Ms. Kirti R. Mishra, AOR
Ms. Sansriti Pathak, Adv.
Ms. Apurva Upmanyu, Adv.
Mr. Eklavya Dwivedi, Adv.

Sarda Mines Mr. Mukul Rohatgi, Sr. Adv.
Mr. Gopal Jain, Sr. Adv.
Mr. Saurabh Kirpal, Adv.
Mr. Naveen Kumar, AOR
Mrs. Nandini Gore, Adv.
Ms. Khushboo Bari, Adv.
Ms. Natasha Sahrawat, adv.
Ms. Neha Khandelwal, Adv.
Ms. Sushil Jethmalani, Adv.

Ms. V. Mohana, Sr. Adv.

Mr. A.K. Panda, Sr. Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. Balendu Shekhar, Adv.
Mr. P.K. Mullick, Adv.
Mr. Atulesh Kumar, Adv.
Mr. Raj Bahadur, Adv.
Mr. B.K. Prasad, AOR

FIMI

Mr. Sunil Dogra, Adv.
Mr. Vivek Vishnoi, Adv.
Mr. Abhishek Sharma, Adv.

Ms. Vanita Bhargava, Adv.
Mr. Ajay Bhargava, Adv.
Ms. Shweta Kabra, Adv.
for M/S KHAITAN AND CO.

(OMC)

Mr. Raj Kumar Mehta, AOR
Ms. Himanshi Andley, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Issue notice returnable on 31st October, 2018.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR

ITEM NO.301

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).114/2014

COMMON CAUSE

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

(7) IA NOS. 130078-79/2018 AND 130083/2018 (APPLNS. FOR INTERVENTION, DIRECTIONS AND CONDONATION OF DELHI ON B/O MRUNAL DAS)

Date : 24-09-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Advocate (A.C.)(NP)

Mr. A.D.N. Rao, Advocate (A.C.)
Mr. Sudipto Sircar, Adv.

Mr. Siddhartha Chowdhury, Advocate (A.C.)

Ms. Aparajita Singh, Advocate (A.C.)(NP)

For Petitioner(s) Mr. Prashant Bhushan, AOR
Mr. Pranav Sachdeva, Adv.
Mr. Rahul Gupta, Adv.

For Respondent(s)
Odisha Mr. Rakesh Dwivedi, Sr. Adv.
Ms. Kirti R. Mishra, AOR
Ms. Sansriti Pathak, Adv.
Ms. Apurva Upmanyu, Adv.
Mr. Eklavya Dwivedi, Adv.

Sarda Mines Mr. Mukul Rohatgi, Sr. Adv.
Mr. Gopal Jain, Sr. Adv.
Mr. Saurabh Kirpal, Adv.
Mr. Naveen Kumar, AOR
Mrs. Nandini Gore, Adv.
Ms. Khushboo Bari, Adv.
Ms. Natasha Sahrawat, adv.
Ms. Neha Khandelwal, Adv.
Ms. Sushil Jethmalani, Adv.

Ms. V. Mohana, Sr. Adv.
Mr. A.K. Panda, Sr. Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. Balendu Shekhar, Adv.
Mr. P.K. Mullick, Adv.
Mr. Atulesh Kumar, Adv.
Mr. Raj Bahadur, Adv.
Mr. B.K. Prasad, AOR

FIMI

Mr. Sunil Dogra, Adv.
Mr. Vivek Vishnoi, Adv.
Mr. Abhishek Sharma, Adv.

Ms. Vanita Bhargava, Adv.
Mr. Ajay Bhargava, Adv.
Ms. Shweta Kabra, Adv.
for M/S KHAITAN AND CO.

(OMC)

Mr. Raj Kumar Mehta, AOR
Ms. Himanshi Andley, Adv.

130078,130079
130083

Ms. Uttara Babbar, AOR
Ms. Bhavana Duhoon, Adv.
Ms. Deboshree Mukherjee, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Issue notice.

Ms. Kirti R. Mishra, learned counsel for the State of Odisha accepts notice and seeks some time to file a reply.

Reply be filed within three weeks.

List the applications on 31st October, 2018.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR