

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition (C) No. 114/2014

COMMON CAUSE

Petitioner(s)

VERSUS

UNION OF INDIA . &amp; ORS.

Respondent(s)

(IA NOS. 60999 AND 60995/2022 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON BEHALF OF SHIV DATT SHARMA)“ONLY” IN W.P.(C) NO. 114/2014 IS LISTED.NAMES OF THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LISTMR. HARISH N. SALVE, SR. ADVOCATE (A.C.)MS. APARAJITA SINGH, SR. ADVOCATE (A.C.)MR. A.D.N. RAO, SR. ADVOCATE (A.C.)MR. SIDDHARTHA CHOWDHURY, ADVOCATE (A.C.)MR. PRASHANT BHUSHANMR. GURMEET SINGH MAKKERMS. KIRTI R. MISHRAMR. NAVEEN KUMAR, ADVOCATESAND I.A.NO. 63905/2022 (APPLICATION FOR APPROPRIATE ORDERS/DIRECTIONS) IN W.P.(C)NO. 114/2014 ON BEHALF OF MR. SIBO SANKAR MISHRA IS ALSO LISTED. )

Date : 02-05-2022 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE KRISHNA MURARI  
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Prashant Bhushan, AOR  
Mr. T. Sudhaker, Adv.  
Ms. Cheryl D'Souza, Adv.

For Respondent(s) Mr. Tushar Mehta, Ld. SG  
Ms. Aishwarya Bhati, Ld. ASG  
Mr. Atulesh Kumar, Adv.  
Mr. Rajat Nair, Adv.  
Mr. R R Rajesh, Adv.  
Ms. Suhasini Sen, Adv.  
Mr. Amrish Kumar, AOR

M/S. Karanjawala &amp; Co., AOR

Ms. Movita, AOR

Mr. Mukul Kumar, AOR

M/S. Aura &amp; Co., AOR

Mr. Balaji Srinivasan, AOR

Mr. Lakshmi Raman Singh, AOR

Mr. Vikas Singh, Sr. Adv.  
Mr. Nitesh Bhandari, Adv.  
Mr. Shourajeet Chakravarty, Adv.  
Ms. Aprajita Bhardwaj, Adv.  
Mr. Prabhat Kumar Rai, Adv.  
Mr. Naveen Kumar, AOR

Mr. Raj Kumar Mehta, AOR

Mr. Gaurav Kejriwal, AOR

Mr. B. Krishna Prasad, AOR

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

Mr. Sunil Kumar Jain, AOR

M/S. Khaitan & Co., AOR

Ms. Ruchi Kohli, AOR

Mr. Shibashish Misra, AOR

Mr. Ramendra Mohan Patnaik, AOR

Mr. E. C. Agrawala, AOR

Mr. Ashok Panigrahi, AOR

Mr. Himinder Lal, AOR

Mr. Rakesh Dwivedi, Sr. Adv.  
Ms. Kirti Renu Mishra, AOR  
Ms. Apurva Upmanyu, Adv.  
Ms. Sansriti Pathak, Adv.  
Mr. Arya Tripathy, Adv.  
Ms. Monika Dwivedi, Adv.

Mr. Mukesh Kumar Maroria, AOR

Mr. Ashok Kumar Panda, Sr. Adv.  
Mr. Tejaswi Kumar Pradhan, AOR  
Mr. Manoranjan Paikaray, Adv.  
Mr. Shashwat Panda, Adv.  
Mr. Gopal Chandra Mishra Adv.  
Mr. Aniruddha Purushotham, Adv.

Mr. Rameshwar Prasad Goyal, AOR

Mr. Vikramjeet Banerjee, ASG

Mr. Apoorv Kurup, Adv.

Mr. Rajesh Singh Chauhan, Adv.

Mr. Gurmeet Singh Makker, AOR

Mr. Dhananjaya Mishra, AOR

Mr. Shovan Mishra, AOR

Ms. Bipasa Tripathy, Adv.

Mr. Preshit Vilas Surshe, AOR

Mr. Hitendra Nath Rath, AOR

Ms. Uttara Babbar, AOR

Mr. Manan Bansal, Adv.

Mr. Sandeep Devashish Das, AOR

Mr. Shadan Farasat, AOR

Mr. Dhanjay S. Reddy, Adv.

Mr. Hitesh Kumar Sharma, Adv.

Mr. Akhileshwar Jha, Adv.

Mr. S. Ashok Reddy, Adv.

Mr. Rajshekhar Rao, Sr. Adv.

Mr. Gaurav Khanna, AOR

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

I.A. No. 63903/2022

In view of the averments made in the application seeking impleadment, the said application is allowed.

I.A. No. 63905/2022

The applicant seeks permission to sell 4,09,596,304 MT of iron ore of different grades and sizes at the Sulaipat Iron Ore Mines under the supervision of the State. Additionally, the applicant also seeks directions to the State of Odisha to issue transit permits for removal of ore from the leasehold areas.

Heard learned counsel for the applicant and counsel for the State. Learned counsel for the State has no objection if the prayers in the present application are allowed by this Court.

At this juncture, learned counsel appearing for the private third party raised an objection to the instant interlocutory application. He submits that certain orders have been passed by the High Court to not to lift the material.

Taking into consideration the submission made by learned counsel for the parties, we grant the prayer sought in the present application subject to statutory clearances and any orders passed by the High Court.

I.A. No. 63905/2022 stands disposed of.

I.A. Nos.60999/2022

In view of the averments made in the application seeking impleadment, the said application is allowed.

I.A. No. 60995/2022

1. Heard learned Senior counsel appearing for the parties.
2. The learned senior counsel appearing for the applicant submits that the applicant is willing to deposit the compensation amount alongwith interest at the rate of 12%, within a period of two weeks after getting all clearances.
3. Learned senior counsel for the State submits that the State Government has no objection, if the reliefs with regard to Raika and Nuagaon Mines sought in the present application are granted by

this Court. However, with respect to Raikela Mines, learned senior counsel for the State submits that the mining lease has already been terminated vide order dated 30.01.2015, which has not been challenged by the applicant. He, therefore, submits that no relief should be granted by this Court with respect to the above-said mines.

4. With regard to Raikela Mines, learned Senior counsel appearing for the applicant submits that he has not been served with the order dated 30.01.2015.

5. Taking into consideration the submissions made by learned counsel for the parties, we allow the application with regard to Raika and Nuagaon Mines subject to deposit of the compensation amount as demanded by the State Government along with interest at the rate of 12%, within a period of two weeks, and subject to all statutory clearances.

6. With respect to Raikela Mines, the State Government is directed to serve copy of the order dated 30.01.2015 to the applicant. It is open to the applicant to challenge the said order in appropriate proceedings.

I.A. No. 60995/2022 stands disposed of with the aforesaid directions.

(RAJNI MUKHI)  
COURT MASTER (SH)

(R.S. NARAYANAN)  
COURT MASTER (NSH)