
(2020) 02 RAJ CK 0367
In the Rajasthan High Court
Case No : Civil Writ Petition No. 2085 Of 2020

Premlata Paliwal	Vs	APPELLANT
State Of Rajasthan And Ors		RESPONDENT

Date of Decision : 20-02-2020

Acts Referred:

Rajasthan Minor Mineral Concession Rules, 2017 — Rule 63

Citation : (2020) 02 RAJ CK 0367

Hon'ble Judges : Arun Bhansali, J

Bench : Single Bench

Advocate : J.S. Naruka, Kuldeep Vaishnav, D.S. Jasol

Final Decision : Allowed

Judgement

This writ petition has been filed by the petitioner aggrieved against rejection of her appeal as barred by limitation by the Additional Director (Mines), Udaipur.

It is submitted by learned counsel for the petitioner that the issue raised in this writ petition is squarely covered by the order passed by this Court in

S.B. Civil Writ Petition No.14920/2017 : Madan Lal v. State of Rajasthan and Ors., decided on 11.05.2018, whereby the petitions filed by the

petitioners were allowed and the matters were remanded back and therefore, the present writ petition may also be decided in terms of the order passed

in the case of Madan Lal (supra).

Learned counsel for the respondents is not in a position to dispute that the issue raised in the present petition is similar to the issue raised in the case of

Madan Lal (supra).

In the case of Madan Lal (supra), this Court after considering the issue raised,

directed as under :-

In view of the above discussions, the impugned orders passed by the respondent No.2 - Additional Director (Environment & Development), Mines &

Geology, Udaipur dismissing the appeals of the petitioners on the ground of limitation are set aside with the direction to the respondent No.2 to decide

the matter afresh after deciding the application for condonation of the limitation period as per Rule 63 of the Rajasthan Minor Mineral Concession

Rules, 2017 by counting the stipulated maximum period of six months from the date when the order of cancellation was communicated.

Accordingly, the writ petitions are disposed of as above.

In view of the above fact situation, the writ petition filed by the petitioner is allowed in light of and with similar directions as given in the case of

Madan Lal (supra).

In view of the fact that the order impugned has been passed by the Joint Secretary, Department of Mines, Rajasthan, Jaipur, the said authority instead

of Additional Director, Mines and Geology Department, Udaipur shall decide the appeal in accordance with the directions herein-before.