

ITEM NO.2

COURT NO.1

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) I.A. NO. 42571/2023 (APPLN. FOR DIRECTIONS ON B/O PETITIONER)
2) I.A. NO. 123732/2023 IN I.A. NO. 42571/2023 (APPLN. FOR
RECTIFICATION ON B/O STATE OF ODISHA) 3) I.A. NOS. 220571, 229912
AND 242242/2023 (APPLS. FOR CONDONATION OF DELAY, IMPLEADMENT AND
SEEKING PERMISSION TO PLACE ON RECORD ADDITIONAL DOCUMENT)

Date : 04-12-2023 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

Mr. A.D.N. Rao, Sr. Adv. (Amicus Curiae)

For Petitioner(s) Mr. Pranav Sachdeva, Adv.
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For Respondent(s) Ms. Aishwarya Bhati, A.S.G.
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Mr. Himinder Lal, AOR
Mr. Mukesh Kumar Maroria, AOR
M/S. Karanjawala & Co., AOR
Mr. Mukul Kumar, AOR
Mr. Balaji Srinivasan, AOR
Mr. Shibashish Misra, AOR

Mr. Raj Kumar Mehta, AOR
Mr. B. Krishna Prasad, AOR
Mr. Rameshwar Prasad Goyal, AOR
Mr. Sunil Kumar Jain, AOR
Ms. Movita, AOR

Mr. Dhananjaya Mishra, AOR

Mr. Shovan Mishra, AOR
Ms. Bipasa Tripathy, Adv.

Mr. Lakshmi Raman Singh, AOR
Mr. Preshit Vilas Surshe, AOR

Mr. Hitendra Nath Rath, AOR

Ms. Uttara Babbar, AOR
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Mr. Sandeep Devashish Das, AOR

Mr. Shrey Kapoor, AOR

Mr. Gaurav Khanna, AOR
Mr. Sibho Sankar Mishra, AOR

Mr. Shadan Farasat, AOR
Ms. Warisha Farasat, Adv.
Mr. Harshit Anand, Adv.
Mr. Aman Naqvi, Adv.
Ms. Hrishika Jain, Adv.
Ms. Natasha Maheshawari, Adv.
Ms. Mreganka Kukreja, Adv.

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

IA No 42571/2023

- 1 In pursuance of the previous order of this Court dated 14 August 2023, an affidavit has been filed by the Joint Secretary in the Ministry of Mines of the Union government. Since several aspects which are engaging the attention of the Court will have a bearing on sustainable development and inter-generational equity, we are of the view that it would be appropriate to direct that an affidavit be filed by the Ministry of Environment, Forests and Climate Change (MoEF&CC) in pursuance of the directions dated 14 August 2023.
- 2 The MoEF&CC shall file its affidavit based on its independent assessment within a period of four weeks.
- 3 The State of Odisha shall file an affidavit within four weeks elaborating on the steps which have been taken to:
 - (i) Recover the outstanding dues; and

- (ii) Attach the assets of the defaulters.
- 4 The affidavit of the State of Odisha shall specifically clarify the extent of the recoveries which have been made after the previous order dated 14 August 2023. The affidavit shall also indicate a specific time line for the action which is proposed and the time schedule for the recovery of the balance outstanding.
- 5 List the IA on 5 February 2024.

IA Nos 220571, 229912 and 242242 of 2023

- 6 The Additional Chief Secretary, Department of Mines of the Government of Odisha shall file an affidavit, after due verification, indicating as to whether the applicant has made full payment in terms of the order of this Court dated 2 August 2017. The affidavit shall also clarify as to whether the applicant has all necessary clearances for carrying out mining activities. The affidavit shall be filed within two weeks.
- 7 List the applications on 15 December 2023.

**(SANJAY KUMAR-I)
DEPUTY REGISTRAR**

**(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR**