



1

WP-2885-2012

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SURESH KUMAR KAIT,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VIVEK JAIN

ON THE 1st OF APRIL, 2025

WRIT PETITION No. 2885 of 2012

MR. ASHOK SARASWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

*Shri Naman Nagrath - Senior Advocate - Shri Shoeb Hasan Khan -
Advocate for the petitioner.*

Dr. S.S. Chouhan - G.A. for the respondents - State.
.....

ORDER

Per. Hon'ble Shri Justice Suresh Kumar Kait, Chief Justice

It is not in dispute that issue raised in the present petition is the same as was in the case of *State of M.P. vs. M/s D.P. Rai and another* pending before the Supreme Court in S.L.P. (Civil) No.32715/2010.

The said matter has already been disposed of by Hon'ble Supreme Court vide order dated 23.09.2014 directing the State Government to decide the question as to whether land in question where mining activities have been permitted in the forest land or not.

Accordingly, we hereby direct the competent authority, i.e. Collector, District Balaghat to decide whether the land in question is a forest land or not



within two months from today.

With the aforesaid direction, petition stands **disposed of**.

Needless to state that if the petitioner is still aggrieved by the order so passed, he may challenge the same before the appropriate authority.

We note that Supreme Court directed that till the decision is taken by the competent authority, no mining activities shall be done on the land in question.

The learned counsel for the petitioner submits that since renewal is not granted as of now, there is no question of mining activity as raised by counsel for the respondent, and the petitioner will not carry out mining activity unless renewal is granted.

(SURESH KUMAR KAIT)
CHIEF JUSTICE

(VIVEK JAIN)
JUDGE

rj