

ITEM NO.64

COURT NO.6

SECTION IV-C

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

Petition(s) for Special Leave to Appeal (C) Nos.17547-17548/2026

[Arising out of impugned final judgment and order dated 09-04-2026 in WP No.10517/2026 & 05-05-2026 in RP No.800/2026 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

RCCPL PRIVATE LIMITED

Petitioner

VERSUS

THE STATE OF MADHYA PRADESH & ANR.

Respondents

I.A. No.151177/2026-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

I.A. No.151178/2026-EXEMPTION FROM FILING O.T.

Date : 18-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) :Mr. Shyam Divan, Sr. Adv.  
Mr. Debesh Panda, AOR  
Mr. Ruchir Joshi, Adv.  
Mr. Arpith Jacob Varaprasad, Adv.

For Respondent(s) :

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

1. Mr. Shyam Divan, learned senior counsel appearing for the petitioner, submits that the impugned demand notice dated 17<sup>th</sup> March, 2026 claims royalty from the petitioner for a period prior to obtaining the Consent to Operate (obtained on 26<sup>th</sup> October, 2023). According to him, in terms of the provisions of Section 9 of the Mines and Minerals(Development and Regulation) Act, 1957, royalty can be demanded only if the mining lease holder removes or

consumes minerals which did not happen prior to the consent to operate being issued.

2. We record Mr. Divan's statement that the petitioner had been paying the dead rent till such time the consent to operate was issued.
3. Issue notice.
4. Till the next date of hearing, there shall be stay of the demand notice.

**(RASHMI DHYANI PANT)**  
**ASTT. REGISTRAR-cum-PS**

**(SUDHIR KUMAR SHARMA)**  
**COURT MASTER (NSH)**