

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 639 OF 2020  
(Arising from SLP(C) No.21825/2017)

STATE OF JHARKHAND & ORS. ...APPELLANT(S)  
VERSUS  
SATYA SAW MILL & ORS. ...RESPONDENT(S)  
WITH

SPECIAL LEAVE PETITION (C)No.21826/2017

O R D E R

CIVIL APPEAL NO.639/2020 @ SLP(C) No.21825/2017

1. Leave granted.
2. This appeal takes exception to the judgment and order dated 15.03.2016 passed by the High Court of Jharkhand at Ranchi in L.P.A. No.448 of 2014.
3. Respondent No.1 (M/s. Satya Saw Mill through its Proprietor) made application(s) for grant of Saw Mill License to the State Authority, which declined the request on the ground that he was involved in confiscation cases. The matter was then taken to the Central Empowered Committee, which confirmed the said order. Aggrieved by the aforementioned decision, writ petition was filed before the High Court being Writ Petition No.1951 of 2013. That Writ Petition was allowed by the

learned Single Judge on the ground that the minutes of the three Member Committee had provided for stipulation of involvement in more than three confiscation cases, whereas respondent No.1 was involved only in three confiscation cases.

4. Against the order passed by the learned Single Judge, the State had filed Letter Patents Appeal before the Division Bench of the High Court being L.P.A. No.448 of 2014, which has been dismissed by the Division Bench of the High Court.

5. Feeling aggrieved, present appeal has been filed.

6. We have heard counsel for the parties including the learned amicus curiae, Shri A.D.N. Rao, who has invited our attention to the direction issued by this Court on 5<sup>th</sup> October, 2015 in I.A. No.2365 in Writ Petition No.202 of 1995 titled *T.N. Godavarman Thirumulpad vs. Union of India & Ors.*, which clearly indicates that all future cases must be examined by the MoEFCC if the decision passed by the State Level Committee is not acceptable to the concerned applicant.

7. In light of the said direction, we set aside the order passed by the learned Single Judge

and confirmed by the Division Bench, which is impugned in this appeal and instead relegate respondent No.1 before the Ministry of Environment, Forest and Climate Change (MoEFCC) for considering the application preferred by respondent No.1 on its own merits in accordance with law.

8. We express a word of appreciation for the able assistance given by Shri A.D.N. Rao, learned *amicus curiae*.

9. The appeal is accordingly allowed. All pending applications are also disposed of.

SLP(C) No.21826/2017

In view of the order passed in companion appeal nothing survives in this petition. The same is accordingly dismissed.

Pending interlocutory applications, if any, shall stand disposed of.

....., J.  
(A.M. KHANWILKAR)

....., J.  
(DINESH MAHESHWARI)

NEW DELHI  
JANUARY 24, 2020

ITEM NO.41

COURT NO.6

SECTION XVII

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) No(s). 21825/2017

(Arising out of impugned final judgment and order dated 15-03-2016 in LPA No. 448/2014 passed by the High Court Of Jharkhand At Ranchi)

STATE OF JHARKHAND &amp; ORS.

Petitioner(s)

VERSUS

SATYA SAW MILL &amp; ORS.

Respondent(s)

WITH

SLP(C) No. 21826/2017 (XVII)

(IA No. 42293/2017 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 42292/2017 - EXEMPTION FROM FILING O.T.)

Date : 24-01-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE MR. JUSTICE DINESH MAHESHWARI

Amicus Curiae Mr. A.D.N. Rao, Adv.

For Petitioner(s) Mr. Anand Mishra, AOR  
Mr. Amrendra Kumar Singh, Adv.  
Ms. Shivangi Popli, Adv.

Mr. Gopal Prasad, AOR  
Mr. Jayesh Gaurav, Adv.  
Ms. Shalya Agarwal, Adv.

For Respondent(s) Mr. Anand Mishra, AOR  
Mr. Amrendra Kumar Singh, Adv.  
Ms. Shivangi Popli, Adv.

Mr. Gopal Prasad, AOR  
Mr. Jayesh Gaurav, Adv.  
Ms. Shalya Agarwal, Adv.

UPON hearing the counsel the Court made the following

**O R D E R****SLP(C) No.21825/2017**

Leave granted.

The appeal is allowed. All pending applications are also disposed of.

**SLP(C) No.21826/2017**

In view of the order passed in companion appeal nothing survives in this petition. The same is accordingly dismissed.

Pending interlocutory applications, if any, shall stand disposed of.

(NEETU KHAJURIA)  
COURT MASTER

(VIDYA NEGI)  
COURT MASTER

(Signed order is placed on the file.)