

ITEM NO.5

COURT NO.2

SECTION XI-A

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). 10237/2022

(Arising out of impugned final judgment and order dated 20-05-2022 in WPC No. 4157/2016 passed by the High Court Of Orissa At Cuttack)

M/S BALASORE ALLOYS LTD.

Petitioner(s)

VERSUS

THE STATE OF ODISHA &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.81251/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT[ ALONG WITH LETTER FOR WITHDRAWAL OF SLP)

Date : 06-06-2022 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH  
HON'BLE MR. JUSTICE ANIRUDDHA BOSE  
(VACATION BENCH)

For Petitioner(s) Mrs. Pragya Baghel, AOR

For Respondent(s)

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

It is not in dispute that the petitioner is not having the Forest Clearance at this stage. Merely because the application for Forest Clearance is pending cannot be treated as having obtained the Forest Clearance permitting the petitioner to carry on the excavation and the mining activities. Under the guise of the order of status *quo*, the petitioner, who is not having the Forest Clearance cannot be permitted to excavate and/or continue the mining activities. Therefore, as such, the High Court has rightly not extended the order of status *quo*.

At this stage, learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present Special Leave Petition as the main petition is yet to be considered by the High Court on merits. Permission is, accordingly, granted. The Special Leave Petition stands dismissed as withdrawn.

Before parting with the present order, we request the High Court to decide and dispose of all such pending matters where the order of status *quo* is continued since long and the mining activities have been continued under the order of status *quo* without Forest Clearance, within a period of six months from today without fail.

With this, the present Special Leave Petition stands dismissed as withdrawn.

The Registry is directed to communicate this order to the Hon'ble Chief Justice of the High Court forthwith.

Pending application stands disposed of.

(R. NATARAJAN)  
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)  
ASSISTANT REGISTRAR