

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No.5272/2016

KA HIMA NONGSTOIN LAND OWNERS, COAL Appellant(s)
TRADERS AND PRODUCERS ASSOCIATION

VERSUS

ALL DIMASA STUDENTS UNION, DIMA HASAO Respondent(s)
DISTRICT COMMITTEE AND ORS.

(With appln.(s) for permission to file additional documents and
stay and office report)

Date : 21/09/2016 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE C. NAGAPPAN

For Appellant(s) Mr. Vijay Hansaria, Sr. Adv.

Mr. H.S. Thangkhiew, Sr. Adv.

Mr. Philimon Nongbri, Adv.

Mr. A. Rohen Singh, Adv.

Mr. Ahanthem Henry, Adv.

Dr. Kailash Chand, AOR

For Respondent(s) Dr. B.P. Todi, Adv. Gen.

Mr. Ranjan Mukherjee, Adv.

Mr. Prithvi Pal, AOR

Mr. Nalin Kohli, Adv.

Mr. Prabhas Bajaj, Adv.

Mr. Ankit Roy, Adv.

Mr. P. Yobin, Adv.

Mr. Yoginder Handoo, AOR

Mr. Amit Kumar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

CA 5272/16

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Issue notice.

Having heard counsel for the parties, it is directed

that the petitioners, as well as the respondents, who have
mined the coal, are permitted to transport the coal on
payment of royalty and other fees as fixed by the National
Green Tribunal (for short, 'the tribunal') and other relevant
status. The extracted coal can be transported from

1 st

October, 2016 till 31 st

May, 2017. It is further directed

that no other extraction shall take place in the meantime.

The finding of the tribunal that the coal is vested
in the State on the ground that it is illegally extracted
coal, shall be adverted to at the time of final hearing.

The miners shall keep the accounts and if, ultimately, it is

held that the coal belongs to the State, they will refund the

amount with interest. The quantum of interest shall be

determined at the time of final hearing. Needless to say,

these observations have been made without prejudice to the

contentions to be raised by the learned counsel for the

parties. The tribunal can proceed with regard to the other

aspects which are pending before it.

(Chetan Kumar)

Court Master (H.S. Parasher)

Court Master