

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case No.:- WP(C) No. 2988/2019
CM Nos. 8652/2019, 6150/2019,
6378/2022, 2642/2022, 2513/2021 & 2514/2021
c/w
WP(C) No. 3031/2019
CM Nos. 752/2020, 751/2020,
6237/2019 & 6764/2019

WP(C) No. 3032/2019
CM Nos. 8653/2019 & 6238/2019

WP(C) No. 3234/2019
CM Nos. 795/2020, 796/2020 & 6738/2019

WP(C) No. 1631/2020
CM nos. 6730/2020, 6731/2020 & 5567/2020

WP(C) No. 1753/2020
CM Nos. 6121/2020 & 6604/2020

M/s Raavi Stone Crusher

.....Petitioner(s)

Through: Mr. Parag Sharma, Advocate.

Vs

State & ors

..... Respondent(s)

Through: Ms. Nazia Fazal, Advocate vice
Mrs. Monika Kohli, Sr. AAG for R-2 and 5.
Mr. Dewakar Sharma, Advocate for R-1, 3,4 & 6.

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
21.05.2025

WP(C) Nos. 1631/2020 and 1753/2020

1. In both these cases, learned counsel for the petitioners submits that the writ petitions have been rendered infructuous and, therefore, seeks withdrawal of both the petitions.
2. Dismissed as withdrawn.

WP(C) Nos. 2988/2019, 3031/2019, 3032/2019 & 3234/2019

1. A purported action on the part of a team comprising of officials/officers of the Irrigation Department, the Flood Control Department, the Public Works Department, the Revenue Department, the officials from Block Development Office and the Geology and Mining Department under the lead and command of the respondent No. 5-Deputy Commissioner, Kathua came to be carried out whereby the respective business premises of the petitioners, in all the four writ petitions, housing stone crushers and raw materials dealt by the petitioners in its stone crushers, are said to have been raided.
2. Pursuant to said raid, the petitioners, in all the four writ petitions, are alleged to have been found in violation of the

provisions of SRO 105 of 2016 dated 31st of March, 2016 which led the District Mineral Officer, Geology and Mining Department Kathua to serve the petitioners quo their said business premises with the impugned Orders No. DMO/K/Notice/2019-20/1040-42 dated 02.08.2019 and DMO/K/Notice/2019-20/1052-54 dated 03.08.2019.

3. It is argued by Mr. Parag Sharma, learned counsel for the petitioners that during the alleged raid so carried out by the respondent No. 5- Deputy Commissioner, Kathua, the office record of the petitioners also came to be taken away from the business premises of the petitioners and ever since then the petitioners are not in knowhow of the said record.
4. There is no denial to the fact that the respondent No. 5- Deputy Commissioner, Kathua along with the team carried out the raid of the petitioners' business premises on 01.08.2019. That being so, there must have been some record making and maintaining in regard to exercise of raid so carried out by the respondent No. 5-Deputy Commissioner, Kathua at the business premises of the petitioners.
5. The respondent No. 5-Deputy Commissioner, Kathua is, thus, directed to make available the requisite record, if any, by the next date of hearing. In case the same is found no more to be in his charge and custody then the status of the

said record in regard to which exercise of raid was so carried out by the Deputy Commissioner, Kathua at the business premises of the petitioners on 01.08.2019 be apprised.

6. A copy of this order be given to Ms. Nazia Fazal, Advocate appearing vice Mrs. Monika Kohli, learned Sr. AAG for the respondent No. 5-Deputy Commissioner, Kathua for the sake of notice and compliance at the end of the respondent No. 5-Deputy Commissioner, Kathua.
7. Failure of compliance on the part of the respondent No. 5-Deputy Commissioner, Kathua, in doing the needful as directed, may warrant a direction for his personal appearance in the case.
8. List again on 04.07.2025
9. Interim directions operating in all the cases to continue till next date of hearing.

(RAHUL BHARTI)
JUDGE

JAMMU
21.05.2025
Naresh/Secy.