

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

LPA No. 107/2026

UT of J&K and others

.... Petitioner/Petitioners(s)

Through:- Mr. Dewakar Sharma, Dy. AG.

V/s

M/S Satkar Stone Crusher
Varinder Kumar and others

.....Respondent(s)

Through:-

CORAM: HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE
HON'BLE MR. JUSTICE SHAHZAD AZEEM, JUDGE

ORDER
03.06.2026

1. This intra-court appeal has been preferred against the interim order dated 17.06.2025, passed in WP(C) No. 1541/2025, titled "*M/S Satkar Stone Crusher and Others v. UT of J&K and Others*", whereby the respondents were directed to allow the petitioner's stone crusher access to the web portal and enable it to procure raw material.
2. The respondent-Department of Geology and Mining launched an online web portal for the sale of minor minerals at notified rates for the convenience of the general public and for the transportation of minor minerals in the Union Territory of Jammu and Kashmir. This information was made available to the public at large through the web portal and a public notice dated 30.08.2022.
3. The said public notice came to be challenged before this Court in WP(C) No. 1221/2025, WP(C) No. 813/2025 and WP(C) No. 1387/2025 on the ground that the respondents had failed to enlist the writ petitioners' stone crushers on the said web portal. It was further contended that access to

the procurement portal had been denied to them, as a result of which they were unable to procure raw material and sell building material/minor minerals to consumers. Accordingly, the writ petitioners sought directions against the respondents to enable them to procure raw material and to restrain the respondents from taking any coercive action against them.

4. The respondent also preferred a writ petition bearing WP(C) No. 1541/2025, seeking a direction to the respondents to enlist the petitioner's stone crusher in the web portal for providing access to him for sale of building materials/minor minerals. This Court, while considering the writ petition and relying on similar orders, passed the interim order dated 17.06.2025, directing the respondents to enlist the petitioners' stone crushers on the web portal and provide them access for procurement of raw materials and for facilitating the sale of final building materials/minor minerals. The said orders were, however, made subject to objections and to any application seeking their vacation or modification.
5. Aggrieved by the interim order of the learned Writ Court, the present appeal has been preferred on the ground that in order to regulate the establishment and operation of stone crushers and hot and wet mix plants in the Union Territory of Jammu and Kashmir, the Government has notified the Jammu and Kashmir Stone Crushers/Hot and Wet Mix Plants Regulation Rules, 2021 vide S.O. 60 dated 23.02.2021. As per the said Rules, it is mandatory for stone crushers to obtain the requisite permissions, No Objection Certificates and other statutory clearances before they can operate lawfully.

6. It is submitted by learned counsel for the appellants that the petitioners have failed to obtain the requisite permissions, including the necessary permission from the Deputy Commissioner and Consent to Operate from the Pollution Control Committee. As such, the petitioners are not entitled to operate their units in accordance with law and, therefore, cannot claim access to the procurement portal.
7. Learned counsel for the appellants has fairly submitted that an application seeking vacation of the orders passed by the learned Writ Court has already been filed.
8. The interim order dated 17.06.2025 has been passed by relying upon the orders passed in WP(C) No. 1221/2025, WP(C) No. 813/2025 and WP(C) No. 1387/2025, which are already pending adjudication. In all these petitions, the issue is still pending consideration and the aforesaid orders have been accepted by the appellants.
9. Since the application for vacation of the interim order filed by the appellant is pending consideration before the learned Writ Court, we are not inclined to interfere with the same at this stage.
10. The appellants may pursue the application seeking vacation/modification of the interim order before the learned Single Judge.
11. The appeal is, accordingly, **dismissed** along with connected applications.

(Shahzad Azeem)
Judge

(Sindhu Sharma)
Judge

Jammu:
03.06.2026
Vishal Khajuria

Whether the order is speaking: yes/no

Whether the order is reportable: yes/no