



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY

Writ Petition (M/B) No.443 of 2026

June 2, 2026

C P Systems Private Limited

----Petitioner

Versus

State of Uttarakhand & Others

----Respondents

Presence:-

Mr. Rajeev Bhatt, learned counsel for the petitioner

Mr. Gajendra Tripathi, learned Standing Counsel for the State

Mr. Aditya Pratap Singh, learned counsel for Uttarakhand Pollution Control Board/respondent no.2

JUDGMENT: (per Mr. Manoj Kumar Gupta, C. J.)

1. The following prayer has been made in the writ petition:-

(i) Issue a writ, order or direction in the nature of mandamus commanding and directing respondent no.2 to permit the petitioner to operate a captive mobile stone crushing plant (by granting CCA) at the place in question i.e. KH NO.1755, 1756, 1757 Village Pandukeshwar, Badrinath, Tehsil Joshimath, District Chamoli under Shri Badrinath Dham master plan."

2. The petitioner is a private limited company having its registered office at 501, 5th Floor, Krishna Apra, Netaji Subhash Place, Pitampura, Delhi. The petitioner has been granted an important strategic work – 'Construction of River Front Development Work F1, G1, Civic Centre Building Near Badrish Lake and Pedestrian Bridge at under Shri Badrinath Dham master plan by respondent no.3, vide letter of acceptance dated 18.07.2024.



3. The case of the petitioner is that the aforesaid project is of national importance for providing infrastructure under the master plan of Badrinath Dham. As such, the petitioner sought permission for installation of a temporary mobile crushing plant, which was granted to the petitioner on 23.10.2025, vide Provisional Consent Order dated 23.10.2025 for a period valid upto 23.10.2030. Thereafter, the petitioner applied for 'Consent to Operate' but the same has not been entertained in view of Head Office letter dated 27.05.2025, which directs that no application for setting up of any new stone crushing unit shall be entertained. The said order was issued by the head office in order to ensure compliance of an order dated 22.05.2025 passed in **WPMB No.281 of 2025 'Mahendra Singh & Another vs. Union of India & Others'**. The operative part of the order passed in WPMB No.281 of 2025 is extracted below for ready-reference:

"13. We, therefore, call upon the Secretary, Mining, Government of Uttarakhand and Uttarakhand Pollution Control Board to identify areas in every district, which can be earmarked as dedicated zones for crushing and dumping of stones/RBM, within six weeks from today. We hope and expect that till the exercise of identification of such area is complete, permission for setting up new stone crushing units may be kept on hold".

4. Learned counsel for the petitioner submits that in identical facts and circumstances in *WPMB No.119 of 2026 "M/s Sarthi Construction and Infra Private Limited and Another"* this Court has directed the Uttarakhand Pollution Control Board to decide and pass appropriate order on the application of the



petitioner therein for setting up of captive mobile crushing plant within a period of four weeks from today. It is urged that similar direction be issued to the Uttarakhand Pollution Control Board (respondent no.2 herein) in the present case also.

5. Mr. Aditya Pratap Singh, learned counsel appearing for respondent no.2 submits that he has no objection in case the present writ petition is disposed of in the same terms.

6. Accordingly, we dispose of the writ petition directing respondent no.2 to pass appropriate order on the application of the petitioner for 'consent to operate' a captive mobile stone crushing plant at KH No.1755, 1756, 1757, Village Pandukeshwar, Badrinath, Tehsil Joshimath, District Chamoli, within a period of four weeks from today.

7. Learned counsel for respondent no.2 shall communicate the instant order to respondent no.2 for due compliance.

8. Pending application(s), if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 02.06.2026

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