

CM No. 8989 of 2015 and CWP No. 10340 of 2015

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM No. 8989 of 2015 and
CWP No. 10340 of 2015 (O&M)
Date of decision: 27.07.2015

Khanda Singh

.....Applicant-petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE RAJIVE BHALLA
HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr.Ved Parkash Setia, Advocate for
for the applicant-petitioner.

RAJIVE BHALLA, J (ORAL).

CM No. 8989 of 2015

Prayer in this application is to recall order dated 06.07.2015,
whereby the writ petition was dismissed for non appearance of counsel for
the petitioner.

Heard.

For the reasons stated in the application and arguments
addressed, the application is allowed and order dated 06.07.2015 is recalled,
and the writ petition is restored to its original number and stage.

CWP No. 10340 of 2015

The petitioner prays for issuance of a writ of mandamus
directing respondent No. 2 (General Manager-cum-Mining Officer,
Industrial Estate, Ludhiana, Punjab), to allow the petitioner to excavate
minor minerals from the petitioner's private land.

Counsel for the petitioner submits that the petitioner is owner of a parcel of land and has filed an application before the General Manager-cum-Mining Officer, Industrial Estate, Ludhiana, Punjab, for excavation of minor minerals but the application has not been decided till date.

We have heard the counsel for the petitioner and perused the paper book.

A perusal of the paper book reveals that a petitioner has not appended any application addressed to the General Manager-cum-Mining Officer, Industrial Estate, Ludhiana, Punjab, but has appended an application addressed to the SDM, Jagraon.

Consequently, we cannot issue a mandamus as prayed but grant liberty to the petitioner to file a fresh application before the General Manager-cum-Mining Officer, Industrial Estate, Ludhiana, Punjab, for excavation of minor minerals from his private land.

In case such an application is filed, it shall be considered and decided within three months from its filing. Disposed of accordingly.

(RAJIVE BHALLA)
JUDGE

(AMOL RATTAN SINGH)
JUDGE

27.07.2015
amit rana