

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(1)

CWP No. 15917 of 2014

M/s Monga Stone Crusher Village Anehar, Tehsil and District Pathankot
.... PETITIONER

Versus

State of Punjab and others
.... RESPONDENTS

(2)

CWP No. 15860 of 2014

M/s Guru Teg Bahadur Stone Crusher, Village Andoi, Tehsil and District
Pathankot
.... PETITIONER

Versus

State of Punjab and others
.... RESPONDENTS

DATE OF DECISION : 05.01.2015

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Gurminder Singh, Senior Advocate, with
Mr. R.P.S. Bara, Advocate,
for the petitioners.

Mr. Gaurav Garg Dhuriwala, DAG, Punjab.

Ms. Harpreet Kaur Athwal, Advocate,
for respondent No.3.

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SATISH KUMAR MITTAL, J. (Oral)

This order shall dispose of CWP Nos. 15917 of 2014 (M/s
Monga Stone Crusher Village Anehar, Tehsil and District Pathankot versus
State of Punjab and others) and 15860 of 2014 (M/s Guru Teg Bahadur

Stone Crusher, Village Andoi, Tehsil and District Pathankot versus State of Punjab and others).

In both these petitions, the petitioners have challenged the orders dated 22.07.2014 passed by the Punjab Pollution Control Board.

Undisputedly, the aforesaid impugned orders are ex-parte orders. Though notice of hearing was given to the petitioners, but due to unavoidable circumstances, they could not attend the hearing and the ex-parte orders were passed against them. It is the main contention of the petitioners that these orders were passed without conducting proper survey and a wrong finding was recorded with regard to location of the stone crushers.

In pursuance of the order dated 16.10.2014 passed by this court, a fresh survey has been conducted. In CWP No. 15917 of 2014 (M/s Monga Stone Crusher Village Anehar, Tehsil and District Pathankot versus State of Punjab and others), learned counsel for the respondents has placed on record affidavit of the State Geologist, Department of Industries & Commerce, Punjab, along with the survey report (Annexure R-1).

Learned counsel for the respondents state that in view of the said report, cases of different stone crushers, who are petitioners in various writ petitions, including the instant two petitions, will be re-considered, after affording an opportunity of hearing to the petitioners and the effected persons.

In view of the said statement, learned counsel for the petitioners states that the petitioners do not want to press these petitions with liberty to raise all the points, if necessary, before the competent authority.

Dismissed as not pressed with the aforesaid liberty. Since the issue pertains to environment, therefore, we direct that the authority shall take a final decision in the matter within a period of two months.

(SATISH KUMAR MITTAL)
JUDGE

January 05, 2015
ndj

(DEEPAK SIBAL)
JUDGE