

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

CWP No. 15940 of 2014 (O&M)

DATE OF DECISION : 05.01.2015

M/s Saini Stone Crusher (Screening Plant), Village Mubarakpur and another
.... PETITIONERS

Versus

State of Punjab and others

.... RESPONDENTS

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

Present : Mr. Vikas Bahl, Senior Advocate, with
Mr. Ramandeep Singh, Advocate,
for the petitioners.

Mr. Gaurav Garg Dhuriwala, DAG, Punjab.

Ms. Harpreet Kaur Athwal, Advocate,
for respondent No.2.

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SATISH KUMAR MITTAL, J. (Oral)

In the instant petition, the petitioners have challenged the directions issued by the Punjab Pollution Control Board (respondent No.2) vide letter dated 24.07.2014 (Annexure P-6) on the basis of the report dated 31.03.2014 (Annexure P-3) as well as the letter dated 24.07.2014 (Annexure P-7) issued by respondent No.2 Board.

It is the main contention of the petitioners that these directions were issued without conducting proper survey and a wrong finding was recorded with regard to location of the stone crusher (screening plant).

In pursuance of the order dated 16.10.2014 passed by this court, a fresh survey has been conducted. In a connected petition (CWP No. 15917 of 2014, titled as 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 (screening plants), who are petitioners in various writ petitions, including the instant petition, 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 this petition 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