

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 26251 of 2014 (O&M)

Date of Decision: 13.08.2015

Darshan Singh & others

--Petitioners

Versus

State of Punjab & others

--Respondents

**CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR.
HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.**

Present:- Mr. Sameer Sachdeva, Advocate for the petitioners.

Mr. Ashwani Talwar, Addl. A.G., Punjab with
Mr. Sunil Kumar Vashisht, A.A.G., Punjab and
Ms. Anita Gupta, A.A.G., Punjab.

S.J. VAZIFDAR, A.C.J. (Oral)

The petitioners have challenged the demand notices issued by the respondents against them for illegal mining. Show cause notices were issued in respect of each of the petitioners, who claim to be poor farmers. The petitioners deny the receipt thereof.

We do not wish to enter into the dispute as to the service of the show cause notices.

The writ petition is disposed of with the following order:-

The demand notices at Annexures R-5 and R-6 are quashed and set aside. Fresh orders shall be passed in all the show cause notices after affording the petitioners an opportunity of being heard. The petitioners shall appear before respondent no.3 at 11 A.M on 18.8.2015 and thereafter as directed by respondent no.3. No further notice of the hearing of 18.8.2015 shall be necessary. Notice of any subsequent hearings before respondent no.3 also shall not be necessary and the petitioners shall be informed of the same by respondent no.3 on each hearing. The

acknowledgment from the petitioners shall be taken from the petitioners at the end of each hearing. Till the show cause notices are decided, the petitioners shall not dispose of, alienate, encumber, part with possession of or create any third party rights in respect of their respective properties.

Disposed of.

(S.J. Vazifdar)
Acting Chief Justice

(Tejinder Singh Dhindsa)
Judge

13.08.2015
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