

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

225

**Civil Writ Petition No.13768 of 2015 (O&M)
Date of Decision: September 25, 2017**

M/s Shiv Stone Crusher Co. and others

...Petitioners

versus

The State of Haryana and another

...Respondents

***CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL***

Present: Mr. Satyendra Chauhan, Advocate for the petitioners.

Mr. Randhir Singh, Addl. A.G., Haryana.

Mr. Sharad Aggarwal, Advocate for
Mr. Lokesh Sinhal, Advocate for respondent No.2.

AJAY KUMAR MITTAL, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India, seeking issuance of a writ in the nature of certiorari for setting aside the order dated 18.06.2015 (Annexure P-16) passed by respondent No.2, whereby the consents to operate granted to the petitioners till 31.03.2015 have been declined to be further renewed, being ultravires in the teeth of the provisions of Sections 21 and 31-A of the Air (Prevention and Control of Pollution) Act, 1981, the provisions of Rule 4 of the Environment (Protection) Rules, 1986 as well as Article 19(1)(g) of the Constitution of India.

2. At the outset, learned State counsel has produced a notification dated 11.05.2016 issued by the Environment Department, State of Haryana wherein the siting criteria as per Schedule I for stone crushing units has been laid down. A copy of the aforesaid notification is taken on record, subject to all just exceptions.

3. In view of the above, learned counsel for the parties submitted that the present petition has been rendered infurctuous and may be disposed of as such.

4. Ordered accordingly.

5. Consequently, no order is called for in Civil Misc. Application No.9743 of 2015.

(AJAY KUMAR MITTAL)
JUDGE

September 25, 2017
sonia gugnani

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No