

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

(203)

CWP-26201-2012

Decided on: March 09, 2017.

Raj Kumar Maddan

.... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Dilpreet Singh Gandhi, Advocate, for the petitioner.

Ms. Anu Pal, AAG, Punjab.

Mr. Sanjeev Roy, Advocate, for
Mr. Tarun Vir, Advocate, for respondent No.5.

M.M.S. BEDI, J (ORAL)

Through instant petition, the petitioner has sought a writ in the nature of mandamus directing various authorities i.e. Principal Chief Conservator of Forest Punjab, District Forest Officer, Sub-Divisional Magistrate, Malaut, District Sri Muktsar Sahib, Executive Engineer, Punjab Pollution Control, Bathinda, Executive Engineer PWD, B&R, Sri Muktsar Sahib, Additional Chief Administrator PUDA, Bathinda and District Town Planner, Faridkot to issue no objection certificate to the petitioner for running the Saw Mill.

As per the stand taken by the respondents, the Forest Officer is not required to issue any no objection certificate but the petitioner is required to obtain prior permission from the District Magistrate under the condition of the Punjab Regulation of Saw Mills, Vaneer and Plywood Industries Rules. It has also been alleged that the petitioner has failed to deposit annual regulatory charges within time.

During course of arguments, learned counsel for the petitioner as well as learned counsel for the respondents agree that most of the formalities have been fulfilled by the petitioner except the compliance of the letter issued by District Town Planner, Faridkot wherein the petitioner was required to dismantle the building in front of his site and after receiving the no objection certificate from the Fire Officer for fire safety, he had to give an information to the office of District Town Planner, so that necessary action could be taken. The said letter was issued on 16.04.2013.

Since above said condition remains to be fulfilled, this petition can be disposed of with a direction that in case the petitioner complies with letter Annexure R-3/1-T issued by the District Town Planner dated 16.04.2013 within a period of one month and has already obtained the no objection certificate from the other departments, he would be provided the licence as per the rules within a period of one month thereafter.

Disposed of with above observation.

(M.M.S. BEDI)
JUDGE

March 09, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No