

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

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CWP-25073-2016

DATE OF DECISION:08.02.2017

MAHABIR PARSHAD**... Petitioner****V.****STATE OF HARYANA AND ORS.****... Respondents**

**CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Satnarain Yadav, Advocate and
Mr. S.P. Yadav, Advocate
for the petitioner.

Mr. Amar Vivek, Addl.A.G. Haryana
for respondents No.1, 3, 4 and 5.

Mr. Karan Singh, Advocate
for respondent No.2.

Mr. Ankit Gupta, Advocate
for Mr. Deepak Balyan, Advocate
for respondent No.6.

Mr. Vivek Singla, Advocate
for respondent No.7.

Mr. J.P. Sharma, Advocate
for respondents No.8 to 10.

S.J. VAZIFDAR, C.J. (ORAL)

Mr. Amar Vivek, learned counsel appearing on behalf of respondents No.1, 3, 4 and 5 makes a statement that the private respondents No.8 to 10 are not entitled to wash sand in the State of Haryana, even with water brought from another State without obtaining the permission of the State Government and the Pollution Control Board. The learned counsel appearing on behalf of the Pollution Control Board-respondent No.6 and learned counsel

appearing on behalf of Ministry of Environment-respondent No.2, supports this stand of Mr. Amar Vivek. The learned counsel appearing on behalf of respondent No.7-Central Ground Water Authority also supports the stand of the other official respondents. They, in fact, state that water cannot even be extracted by the private respondents without their permission.

We do not intend expressing any view on the correctness of the rival contentions of the petitioner and the official respondents on the one hand and the private respondents on the other. As far as this petition is concerned, the petitioner succeeds in view of the stand taken by all the official respondents and the statement made by the official respondents that in view of their stand they will not permit the private respondents to carry on the said activities in the State of Haryana. The statements are accepted.

The petition is accordingly disposed of.

It is, however, clarified that the private respondents are at liberty to adopt any proceedings in respect of the statements which have been recorded by us and in respect of any action that the official respondents or any other parties may take which affect their activities. It is further clarified that in the event of official respondents not taking any action despite the statements made by them and accepted by us, the petitioners shall be entitled to file appropriate proceedings or even make an application in this writ petition itself.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(ANUPINDER SINGH GREWAL)
JUDGE

08.02.2017

SwarnjitS

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No