

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

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CRM-M No.12661 of 2018

Date of Decision: March 27th, 2018

Mann Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Neeraj Madaan, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court praying for a direction to the respondent to take action against the private respondents 6 to 12 as by the action of the private respondents, damage has been caused to the land of the petitioner which is adjacent to the mining area, for which lease has been given for one khasra number.

Counsel for the petitioner contends that because of the violation of the provisions of the Mines and Minerals Act by the private respondents, the land of the petitioner is adversely affected and damaged. He contends that these respondents are illegally mining in the area which is adjacent to the land of the petitioner. He has, however, very fairly brought to the notice of the Court the order passed by this Court in *CWP No.9931 of 2015* titled as *Des Singh and another Versus State of Punjab and others*, decided on 31.07.2015 (Annexure P-4).

A perusal of the same would show that there is already a direction issued by the Division Bench of this Court to the Deputy Commissioner, Fazilka and the Senior Superintendent of Police, Fazilka and the General Manager-cum-Mining Officer, Ferozepur, to ensure that no illegal mining shall take place in village Mohar Singh Wala, Tehsil Jalalabad, District Fazilka or elsewhere within their respective

jurisdiction.

This direction takes care of all illegal mining done within the jurisdiction of the officers referred to above.

At this stage, counsel for the petitioner prays for withdrawal of the present petition with liberty to avail of his remedy in accordance with law.

Disposed of with liberty aforesaid.

March 27th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No