

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

CWP No.1493 of 2018

Date of Decision : 12.03.2018

M/s Pahul & Company

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJBIR SEHRAWAT**

Present: Mr.Ajay Pal Singh Srawaan, Advocate
for the petitioner.

MAHESH GROVER, J. (Oral)

The petitioner impugns Annexure P-4, an order passed by the Deputy Commissioner, Ludhiana prohibiting mining in the area between village Billo and Sarhand Canal, as it has been declared a protected site being in the close vicinity of Maqbaras Bahadar Khan, Alber Khan and Hussain Khan.

The petitioner contends that he is merely levelling the land and not indulging in any kind of mining activity which is belied by his assertion that he has a mining license to mine that area. Even the report of the Kanugo relied upon by him talks of the mining site and its location. Evidently, the assertion of the petitioner that he is merely levelling the land and not indulging in mining is false. Since there is a categoric report by the Directorate of Cultural Affairs, Archaeological & Museums, Punjab, which finds mention in the impugned order, we are of the opinion that the order of the Deputy Commissioner based on the report of the Directorate of Cultural

Affairs, Archaeological & Museums, Punjab needs to be accepted considering that sufficient reasons have been given highlighting the potential damage to the historical site by the flow of water during rains. The protection of a heritage site or an ancient museum is an important aspect to be kept in mind and since the impugned order does so, we would find no reason to accept the instant petition.

Dismissed.

(MAHESH GROVER)
JUDGE

12.03.2018
dss

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No