

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

CWP No.4450 of 2019
DATE OF DECISION:08.04.2019

M/s Satish Kumar Garg & Company

...Petitioner

Vs.

State of Haryana & others

...Respondents

**CORAM:- HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE LALIT BATRA**

Present: Mr. Girish Agnihotri, Senior Advocate with
Mr. Ishaan Bhardwaj, Advocate
for the petitioner.

Mr. Ankur Mittal, Additional A.G., Haryana.

MAHESH GROVER, J. (Oral)

This writ petition is filed praying for appropriate directions to be issued to the respondents to allow it to commence mining operation on the basis of draft Environment Impact Assessment Report essential for the environment clearance under the Ministry of Environment, Forest and Climate change. Although directions were sought to the respondents which was disclosed by the State of Haryana in para 6 of the reply as under:-

That the mining project of petitioner firm for seeking EC is having lease area of 79.32 hectares for mining of Quartz, Feldspar, and stone and same is situated within 5 km of the inter-state boundaries of the State of Haryana and Rajasthan. Therefore, falls under category "A" project. Hence, they are required to seek environmental clearance from the MoEF&CC, Gol and not from SEIAA.

Evidently the needful has to be done by the Union of India for which the petitioner has also taken steps by approaching it on 10.01.2019.

CWP No.4450 of 2019 :2:

Learned counsel for the petitioner contends that he would be satisfied if this writ petition is disposed of with a direction to the Union of India-Ministry of Environment and Forest to consider the case set up in the instant petition and take a decision thereon for granting him the environmental clearance essential for commencing the operation of mines.

At this stage, we notice that Union of India is not a party before us. On the oral request of the petitioner, we permit Union of India to be impleaded as a party. Mr. Chetan Mittal, Assistant Solicitor General assisted by Mr. Varun Issar who is present in the Court accepts notice.

Having regard to the limited prayer made, seeking direction to the Ministry of Environment and Forest to consider the grant of environment clearance to the petitioner, we deem it appropriate to direct the Union of India-Ministry of Environment and Forest to decide the matter at hand, as expeditiously as possible preferably within a period of six weeks from the date of receipt of certified copy of the order.

Petition is disposed of.

(MAHESH GROVER)
JUDGE

(LALIT BATRA)
JUDGE

08.04.2019

rimpal

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