

CRM-M-23791-2017

Date of decision: April 08, 2019

Darshan Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for issuing directions to respondents No.4 to 6 to initiate action against respondents No.1 to 3 by filing a complaint in a Court of competent jurisdiction under Sections 4 and 21 of the Mines and Mineral (Development and Regulations) Act, 1957.

Reply by way of affidavit of General Manager-cum-Mining Officer, District Industries Centre, Hoshiarpur is on record in which it is stated that an incident of the illegal mining had taken place about two years ago and a show cause notice was issued on 10.7.2017 to explain the position by respondents No.1 and 3. Thereafter, no reply was received and another notice/information dated 25.7.2017 was issued asking them to explain how they have extracted ordinary earth (minor minerals) without any lawful authority. The respondents No.1 and 3 were directed to appear before the General Manager-cum-Mining Officer to explain their position. Thereafter, both of them deposited the royalty and penalty amounting to Rs.5,550/- on 2.8.2017 by way of cash receipt.

It is further stated in the affidavit that since the offence stands compounded, no further action is required.

In view of the above, this petition has been rendered infructuous and the same is disposed of as such.

(ARVIND SINGH SANGWAN)
JUDGE**April 08, 2019**
*satish*Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No