

**CWP no.12083 of 2016 (O&M)
and connected case**

1

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

1. CWP no.12083 of 2016 (O&M)

M/s Jai Yamuna Ji Developers

....Petitioner

Versus

Union of India and others

...Respondents

2. CWP no.10046 of 2017 (O&M)

M/s Jai Yamuna Ji Developers

....Petitioner

Versus

State of Haryana and others

...Respondents

Date of Decision : 13.02.2019

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

Present : Mr.Sanjiv Gupta, Advocate for the petitioner

Mr. Ankur Mittal, Addl. AG, Haryana

Mr. Alok Kumar Jain, Advocate for UOI

MAHESH GROVER, J.(ORAL)

By this order we will dispose of two writ petitions bearing CWP
Nos. 12083 of 2016 and 10046 of 2017.

In both these petitions the issue of proportionate reduction of
lease money on account of non-availability of mining area has been made.

The petitioner has also been issued a show cause notice for satisfying the

liability determined by the State.

It has not been disputed before us that the petitioner has preferred a statutory appeal and therefore, appellate authority would have the occasion to go through the issues raised in both these petitions. We, therefore, without commenting on the merits of the claim as set out in these petitions dispose them of with a direction to the appellate authority to consider the grievance as set out in these two petitions before us and take a decision by passing a speaking order thereon.

Disposed of.

Needless to say that the petitioner would be at liberty to place reliance on the judgment that he may consider to be of help. The appellate authority shall take a decision within three months from the date of receipt of the certified copy of this order.

Till the decision of the appeal by the appellate authority, interim order granted by this Court shall enure.

(Mahesh Grover)
Judge

13.02.2019
rekha

(Lalit Batra)
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No