

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-25250-2019 (O&M)
Date of Decision: 10.09.2019

Sharafat Ali

--Petitioner

Versus

State of Haryana & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Anuj Balian, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J (Oral)

Petitioners seek a Mandamus for directing the respondent authorities to release the truck of the petitioner bearing registration no. HR-68B-0520 and which was impounded by virtue of exercise of powers under section 102/104 of the Haryana Minor Mineral Concession, Stocking, Transportation of Mineral and Prevention of Illegal Mining Rules, 2012 on 28.7.2019.

It is the case of the petitioner that the amount of penalty has already been assessed to be Rs.37,000/- and which has been deposited and inspite thereof the vehicle has not been released.

Counsel for the petitioner has been heard at length.

Clearly petitioner is aggrieved of the action of the Assistant Mining Engineer, Mining and Geology Department, Panchkula. Even if the grievance of the petitioner is well founded, yet, it would be obligatory for the petitioner to approach the higher authorities under the Mining and Geology Department, Haryana itself prior to seeking issuance of a Writ of Mandamus.

At this stage counsel noticing that this Court was not inclined to intervene, seeks withdrawal of the instant petition to approach the concerned higher authorities under the Mining and Geology Department, Haryana.

As per statement made by counsel, instant petition is dismissed as withdrawn.

(TEJINDER SINGH DHINDSA)
JUDGE

10.09.2019

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No