| Suppl -1<br>Admission |
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| Sr. No. 102 |

**HIGH COURT OF JAMMU AND KASHMIR**
**AT JAMMU**

**(Through Video Conferencing from Srinagar)**

WP (C) 1980/2020
CM No. 7577/2020
CM No. 7578/2020

M/S. Trikuta Stone Crusher

Petitioner(s)

Through: Mr.Parag Sharma, Adv.

V/s

UT of JK and Ors.

Respondent(s)

Through:

**Coram:**

**Hon'ble Mr. Justice Sanjeev Kumar, Judge**

## ORDER

01. In this petition, the petitioners have, inter alia, prayed for following reliefs:-

*i) Writ of Certiorari thereby quashing the impugned Order No. DMO/J/Seal/SC/2018-19/2144-2149 dated 14.08.2018, Order No. DMO/J/Seal/2018-19/2210-2215 dated 29.08.2018, Order No. DMO/J/Seal/2018-19/2204-2209 dated 29.08.2018, Order No. DMO/J/SC/Seal/2018-19/2138-2143 dated 14.08.2018 and Order No. DMO/J/Stone Crusher/19-20/90-94 dated 29.04.2019 whereby the petitioners' units have been sealed.*

ii *Writ of Mandamus directing and commanding the respondent no. 2 to de-seal and allow the stone crushers to be in operation in view of the Agreement executed by Lessee M/S Kesri Nandan Mines, Contractors and Suppliers of Block No. 2/6 of Basanter River, Down Stream NH-IA Bridge, District Samba.*

**02.** Mr. Parag Sharma, learned counsel for the petitioners, submits that the petitioners have already moved representation before the Director, Geology and Mining Department, Government of Jammu and Kashmir, Jammu, for de-sealing of their premises on the ground that they have now a valid and legitimate source for procurement of raw material. The grievance of the petitioners is that despite the fact that aforesaid representation was moved as far back as on 8th December, 2020, no decision in the matter is being taken by the Director and each day's delay is working harsh for the petitioners.

**03.** Having heard learned counsel for the petitioners and perused the documents on record, I am of the view that this petition can be disposed of at this stage by directing the Director, Geology and Mining Department, Jammu, to take appropriate decision on the representation stated to have been filed by the petitioners on 8th December, 2020 in a time bound manner.

**04.** This petition is, accordingly, disposed of by directing the Director, Geology and Mining Department, Jammu, to consider and pass appropriate orders on the representation of the petitioners within a period of four weeks from the date a copy of this order along copy of the writ petition is served upon him. The petitioners shall also be at liberty to place before the Director any additional material, they wish to produce before him. It is made clear that in case requisite decision on the representation of the

petitioners is not taken by the Director within the period stipulated, the petitioners shall be free to operate their Crushers provided they are established in accordance with law and procure the material from legal and legitimate sources.

**05. Disposed of** along with connected CM(s) in the aforesaid terms.

**(Sanjeev Kumar)**
**Judge**

**Srinagar**
18.12.2020
*"Shamim Dar"*

*Whether order is speaking: Yes/No*
*Whether order is reportable: Yes/No*

SHAMIM AHMAD DAR
2020.12.22 11:29
I attest to the accuracy and
integrity of this document