Item No.1023
Admission

IN THE HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU
(THROUGH VIRTUAL MODE)

WP(C) No.2072/2020
CM No.8151/2020
CM No.8152/2020

M/s Hanuman Stone Crusher and others. …Petitioner(s)

Through: Mr. Parag Sharma, Advocate.

V/s

Union Territory of J&K and others. …Respondents

Through: Mr. F. A. Natnoo, AAG.

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

(ORDER)
30.12.2020

CM No.8152/2020

For the reasons detailed out in the application, the same is allowed and the requirement of affixing the court fee is dispensed with.

CM disposed of.

WP(C) No.2072/2020
CM No.8151/2020

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

> *"(i) Writ of certiorari thereby quashing the impugned order No.DMO/J/SC/Seal/2018-19/2109-2213 dated 08.08.2018 and Order No. DMO/J/Stone Crusher/19-20/95-99 dated 29.04.2019 and Order No. DMO/J/Seal/SC/2018-19/2132-2137 dated 14.08.2018 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 crusehrs to be in operational in view of the Agreement executed by Lessee M/S Kesri Nandan*

Mines, Contractors & Suppliers of Block No.2/6 of Basanter River, Down Stream NH-1A 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 & 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 24th 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 24th 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 with copy of the writ petition is served upon him. The petitioners shall also bet 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 stipulated period, 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 source.

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

(Sanjeev Kumar)
Judge

Jammu
30.12.2020
"Abdul Qayoom, PS"

ABDUL QAYOOM LONE
2020.12.31 17:11
I attest to the accuracy and
integrity of this document