

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

CWP-4187 of 2021
Date of decision 23.02.2021

Gulsher ...Petitioner

Vs.

State of Haryana and ors. ...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Parveen Sharma, Advocate for
Mr. Vineet Chaudhary, Advocate
for the petitioner.

Ritu Bahri, J. (Oral)

By way of filing present writ petition, petitioner is seeking issuance of writ in the nature of mandamus directing the respondents to decide his appeal dated 04.12.2020 filed under Rule 109 (2) of the Haryana Minor Mineral Concession, Stocking Transportation of Mineral and Prevention of Illegal Mining Rules, 2012 (P-2).

Learned counsel for the petitioner submits that petitioner had received a notice bearing No. MO/KKR/SPL-I dated 04.11.2020 (P-1) whereby he was informed that his tractor i.e RLF2GDA1256 bearing Chasis No. MBNGAALUPLRF01542 was found involved in illegal mining, illegal transportation, illegal stocking at Ladwa, District Kurukshetra at 10 P.M on 04.11.2020 containing the sand. It was mentioned in the notice that it was compoundable case and can be compounded on payment of applicable royalty, price of mineral and fine along with compensation of damages to

environment, as laid by Hon'ble NGT, vide order dated 19.02.2020 passed in M.A. No. 16/2020 in O.A. No. 44/2016.

Issue notice of motion

On asking of the Court, Mr. Hitesh Pandit, Addl.A.G. Haryana, accepts notice on behalf of respondent-State. Let copy of the petition be sent to learned State counsel by learned counsel for the petitioner by today itself.

Keeping in view the fact that the tractor of the petition is in custody of police, the present petition stands disposed of by giving a direction to respondent No. 2 to decide his appeal dated 04.12.2020 by virtual mode, in accordance with law, within a period of two months from the date of receipt of certified copy of this order.

(RITU BAHRI)
JUDGE

(ARCHANA PURI)
JUDGE

23.02.2021
G Arora

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No