

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

105

(PROCEEDINGS THROUGH V.C.)

CM-588-CWP-2021 &

CWP-21554-2020

DATE OF DECISION: JANUARY 22, 2021

Krishan Singh @ Kishan Singh and another

.....Petitioners

VERSUS

State of Haryana and others

....Respondents

**CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR.JUSTICE ASHOK KUMAR VERMA**

Present: Mr. J.P. Sharma, Advocate,
for the petitioner.

Ms. Shubhra Singh, Addl.Advocate General, Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-588-CWP-2021

Prayer in this application is for placing on record the representation dated 18.12.2020 as Annexure P-3 submitted by the petitioners to the Mining Officer, Narnaul, District Mahendergarh, Haryana-respondent No.3, the competent authority.

Prayer made in the application is accepted subject to all just exceptions

Representation dated 18.12.2020 (Annexure P-3) submitted by the petitioners is taken on record.

CWP-21554-2020

Petitioners have approached this Court with a grievance that petitioner No.1 is owner in possession of land bearing Khewat No.102, Khatoni No.145, measuring 31 kanals situated at Village Bayal, Tehsil Nangal Chaudhary, District Mahendergarh, which is adjoining to the land bearing Khewat No.656, Khatoni No.749 and Khasra No.231 owned by Gram Panchayat, Bayal, Tehsil Nangal Chaudhary, District Mahendergarh-respondent No.5. The said land of Gram Panchayat has been given on lease for operating the mines to respondent No.4, who is using blasting material for extracting the stones. Because of these blasts, stones keep continuously falling from the said site of blasts on the land of the petitioners, leading to a situation where virtually their land has been rendered useless and uncultivable. Not only, the land of the petitioners has been rendered barren, leading to financial loss but danger is also there to the lives of the petitioners and their families because of falling of stones. Photographs have also been placed on record by the petitioners to substantiate such allegations. Counsel for the petitioners states that neither the precautions/security essentials were complied with during blasts nor the parameters/ norms, which are fixed for carrying out the extraction of the stones from the quarry, as per the Explosive Substances Act, 1908, are being followed by respondent No.4. Highlighting these aspects, the petitioners had been approaching the authorities for redressal of their grievance but without any result. The last representation, which has been submitted by the petitioners, is dated 18.12.2020 (Annexure P-3) addressed to the Mining Officer, Narnaul, District Mahendergarh-respondent No.3.

Counsel for the State informs the Court that she has received instructions that the said representation dated 18.12.2020 (Annexure P-3) of the petitioners would be considered and a decision taken thereon within a period of four weeks.

In the light of the above statement of counsel for the State, the present petition is disposed of with a direction to the Mining Officer, Narnaul, District Mahendergarh-respondent No.3 to consider the representation dated 18.12.2020 (Annexure P-3) as moved by the petitioners within a period of four weeks and a well reasoned and speaking order be passed thereon. In case the allegations levelled by the petitioners are found to be correct, remedial steps, in accordance with law, be immediately taken by the said respondent or any other competent authority.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

**January 22, 2021
khurmi**

**(ASHOK KUMAR VERMA)
JUDGE**

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