

M/S GANESH STONE CRUSHING COMPANY AND ANR V/S STATE OF HARYANA AND OTHERS

Present:- Mr. Arun Avasthy, Advocate for the petitioners.

Notice of motion for 22.8.2022.

Mr. Lokesh Sinhal, Sr. Addl. A.G., Haryana accepts notice for the respondents.

The grievance of the petitioners is that an order has been passed against the petitioners on 22.7.2022 demanding Rs.31,60,193/- on the basis that on the E. Ravanna portal, the petitioner has disclosed only 3695.62 metric tons of mineral, but in the inspection conducted on 07.07.2022 by the officials of the Mining Department, Forest Department, Excise and Tax Departments 9028.98 metric tons excess mineral was found. The petitioner has made a representation/appeal to the 2nd respondent against the said order.

The petitioners contend that till the decision is taken by the 2nd respondent on the said representation/appeal, no coercive action be taken against the petitioners by the respondents.

Mr. Lokesh Sinhal, Senior Additional Advocate General appearing for the State of Haryana on instructions states that the 2nd respondent will decide the said representation dt.25.7.2022 filed by the petitioners before the 2nd respondent as an appeal under Rule 109(2) of the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals and Prevention of Illegal Mining Rules, 2012, and would dispose of the said appeal within three weeks, and till the said appeal is decided, no coercive

action would be taken against the petitioners.

Having regard to the said submissions, the present Writ petition is disposed of directing the 2nd respondent to decide the representation dt.25.7.2022 filed by the petitioners as an appeal under Rule 109(2) of the Haryana Minor Mineral Concession, Stocking and Transportation of Minerals and Prevention of Illegal Mining Rules, 2012 within three weeks, and communicate its decision to the petitioners.

Pending disposal of the said representation/appeal, no coercive action shall be taken against the petitioners.

(M.S. Ramachandra Rao)
Judge

(H.S. Madaan)
Judge

03.08.2022

P.Singh