

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

(102)

CWP-28821-2019

Date of Decision:-14.09.2022.

M/s Govardhan Mines & Minerals

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ALOK JAIN**

Present: Mr. Karanvir Singh Khehar, Advocate for the petitioner.

Mr. P.S. Chauhan, Senior Addl. A.G., Haryana.

AUGUSTINE GEORGE MASIH, J. (Oral)

Petitioner had approached this Court with a grievance that the law and order situation was not being properly managed by the respondents leading to a situation where there was danger when the excavation was carried out for the purpose of mining. Apart from that, obstacles were created with regard to the movement of the loaded and empty trucks and other vehicles of the petitioner. In response thereto, reply has been filed by way of affidavit of the Deputy Commissioner, Bhiwani dated 17.12.2019, wherein, Para 2 and 3 thereto, it has been stated as follows:-

*“2. That the S.P. Bhiwani has submitted his status report dated 22.11.2019 to the answering respondent. The same is enclosed as **Annexure R/3-1** for kind perusal of this Hon'ble Court. As per the status report, the S.P Bhiwani has directed the Assistant Superintendent of Police, Tosham and the Station*

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House Officer, Tosham to ensure that no law and order disturbance is created or Mining operations carried out with due procedure and as per rules is disturbed by miscreants. They had also been directed to ensure that any complaint related to Dadam mining operations shall be immediately looked into and lawful action shall be ensured immediately.

3. *That the latest status reports of three FIRS relating to the matter have also been made available to the answering respondent by the SHO, Police Station: Tosham on dated 16.12.2019. The copy of the status report is enclosed as **Annexure R/3-2 colly** for perusal. As per the status report, in FIR No. 165 dated 17.04.2019 the accused persons have been arrested and further enquires to file charge sheet against the accused persons are in progress. However, in FIR No. 398 & 399 both dated 22.08.2019, the complainants have submitted their affidavits requesting that their complaints may be rejected as they do not want any action. The copy of affidavits of the complainants are annexed as **Annexure R/3-3 colly** for perusal of this Hon'ble Court.*

4. *That it is submitted that whenever any complaint of cognizable nature is received in the Police Station Tosham, required legal action shall be taken. It is further ensured that no unlawful obstruction is caused by any person in mining area of village Dadam.”*

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In the light of the above, we dispose of the present writ petition binding the respondents with the statement as made in Paras 2, 3 and 4 of the affidavit dated 17.12.2019.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ALOK JAIN)
JUDGE

September 14, 2022.

Sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No