

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

CWP-15475-2023

Date of decision: 21.07.2023

M/S BABA BIO ENERGY AND ANOTHER

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. Suvir Sidhu, Advocate
for the petitioners.

Mr. Saurabh Mago, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. The present petitioners had moved the Authorities concerned, for grant of NOC STP, thus for setting up a compressed bio gas projects. However, the Mining Officer, Narnaul as revealed by Annexure P-13, as drawn on 05.07.2023, appears to forward the said request to the Directorate, Mines and Geology Department, Haryana. However, there is no material on record suggestive, that the Directorate of Mines and Geology Department, Haryana has yet taken a decision on the basis of the forwarding of Annexure P-13 by the Mining Officer, Narnaul rather to the said Directorate. Therefore, the writ relief relating to a mandamus being passed, upon the respondents concerned, to grant the afore relief for the relevant purpose, thus at this stage, is to pre-mature, and, as such the instant petition is mis-constituted.

2. However, in the larger interest of justice, the Directorate of Mines and Geology Department, Haryana is directed to take a lawful decision but within a fortnight from today, thus on the basis of recommendations

made by the Mining Officer, Narnaul, as became comprised in Annexure P-13. It is also further clarified that in case a decision adversarial to the petitioners is made by the Directorate of Mines and Geology Department, Haryana, thereupon it is open to the writ petitioners to avail appropriate remedies as prescribed under law.

3. Disposed of accordingly.

(SURESHWAR THAKUR)
JUDGE

21.07.2023
Ithlesh

(KULDEEP TIWARI)
JUDGE

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