

2023:PHHC:121793-DB
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-72-CWPIL-2023 in/and
CWP-PIL-73-2023 (O&M)
Date of decision: 15.09.2023

Harinder Singh

...Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: **HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE**
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Aashish Chopra, Senior Advocate, with
Ms. Mehar Nagpal, Advocate,
for the petitioner.

Mr. Arjun Sheoran, DAG, Punjab.

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RAVI SHANKER JHA, C.J. (ORAL)

CM-72-CWPIL-2023

Applicant seeks preponment of hearing in the matter, which is fixed for 05.10.2023.

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the date of hearing is preponed from 05.10.2023 to today, i.e. 15.09.2023.

Main case

This petition has been filed by the petitioner praying for a Mandamus to command the respondents to comply with the provisions of Mines and Minerals (Development and Regulation) Act, 1957; Punjab Mines and Minerals Rules, 2013; and General Order dated 12.06.2020 (P-4), issued by the Secretary-cum-Director, Mines and Geology, Punjab, in accordance with the directions issued by the National Green Tribunal.

Learned Senior counsel for the petitioner submits that the authorities are not complying with the provisions of the Act/Rules and their own directions, issued vide order Annexure P-4, pursuant to the orders of NGT (*ibid*). In this regard, the petitioner had even moved the authorities, vide representation dated 08.08.2023 (P-7), but no action thereon has been taken to date.

Faced with this, learned Deputy Advocate General, Punjab, on instructions from Tarandeep Singh, XEN, Mining Department, submits that the authorities are actively considering the representation of the petitioner. He further submits that appropriate orders, in accordance with law, shall be passed thereon within a period of two weeks from today and communicated to the petitioner.

In the wake of the above, the petition is disposed of, in terms of the statement made by learned State counsel.

However, the petitioner would be at liberty to approach this Court again, in case any cause of action still survives or arises.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

15.09.2023
AK Sharma

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