110 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-24007-2025 (O&M)
Date of Decision:29.11.2025

M/S SHREE GANESH GRIT UDYOG ....PETITIONER(S)

VERSUS

STATE OF HARYANA AND OTHERS ….RESPONDENT(S)

CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR

Present: Mr. Sankalp Gahlawat, Advocate
for the petitioner.

Mr. Rajesh Gaur, Addl., AG, Haryana.

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ASHWANI KUMAR MISHRA, J. (ORAL)

1. Reply filed on behalf of the respondent(s)-State of Haryana is taken on record. Registry is directed to tag the same at an appropriate place.

2. This petition is directed against an order passed by the respondent No.1 dated 01.08.2025 (Annexure P-1) whereby, the petitioner's appeal, against the order passed by respondent No.2, has been dismissed. The prayer of the petitioner for renewal of his mining licence has also not been considered.

3. According to the petitioner, the penalty amount of Rs.20,90,152/- was primarily imposed upon him in order to ensure that the CTO and Consent to Establish (CTE) submitted by the petitioner is genuine and valid.

4. The Appellate Authority, while passing the order dated 01.08.2025, has observed as under:-

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> *"**14**. Meanwhile, upon deposit of the penalty amount of Rs.20,90,152 and submission of a renewal application, the appellant's licence shall be renewed forthwith. Should the HSPCB later confirm that the CTO and Consent to Establish (CTE) submitted by the appellant are genuine and valid, the Directorate will refund the entire deposited sum within seven working days of receiving such confirmation. The Department is directed to forward this order, the Hon'ble Court's order, and all relevant documents to the HSPCB for a time-bound hearing, and to request its earliest response."*

5. Our attention has been invited to the reply filed by the respondents in which the CTO and Consent to Establish (CTE) submitted by the petitioner has been found genuine and valid.

6. On the strength of above, it is submitted that there would be no requirement for the petitioner to deposit the penalty in view of the fact that the CTO and Consent to Establish (CTE), on verification, are found valid.

7. Learned State counsel submits that these aspects can be examined by the respondent(s) afresh.

8. In the facts of the case, we dispose of this petition with a direction upon the respondents to re-visit the matter in light of the verification report dated 09.10.2025, submitted by the Haryana State Pollution Control Board, certifying and confirming that the CTO and Consent to Establish (CTE) submitted by the petitioner are genuine and valid. Such fresh decision will be taken by the respondent(s) within a period of two weeks from the date of receipt of certified copy of this order. The consequential decision, with regard to renewal of registration,

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shall also be taken immediately thereafter.

9. Pending application(s), if any, stand(s) disposed of.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

NOVEMBER 29, 2025
Rahul Joshi

1. Whether Speaking/reasoned Yes/No
2. Whether Reportable Yes/No

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