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CWP-28603-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-28603-2023 (O&M)

Date of Decision: 05.02.2025

CHARANJIT SINGH

.. Petitioner

Vs.

UNION OF INDIA AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUMEET GOEL

Present: Ms. Satinder Kaur, Advocate for the petitioner.

Ms. Krishna Dayama, Senior Panel Counsel
for respondent No.1 (*through Video Conferencing*)

Mr. Saurav Khurana, Addl. A.G., Punjab.

Mr. Kanwal Goyal, Advocate for respondent No.9

Mr. Anil Gupta, Advocate for
Mr. Ashish Verma, Advocate for respondent No.10.

...

SHEEL NAGU, CHIEF JUSTICE, (ORAL)

1. The petitioner, who is a resident of Village Akuwal, Tehsil Jagraon, District Ludhiana, is before this Court and through the present petition seeking a direction for stopping transport vehicles loaded with sand belonging to respondent No.9, to pass through the narrow village road which is 8-9 feet" broad.

2. It is contended that the ruckus created by passing of the heavily loaded trucks causes disturbance not only to school children but is also detrimental to the environment of the area concerned.

3. This Court while taking cognizance of the matter on



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whose trucks were passing on the roads in question has submitted revised mining plan which has been approved by the competent authority and the same is being added to by taking different routes than the village roads in question.

4. Learned counsel for the petitioner on the other hand contends that the village roads in question are still being used by heavily loaded trucks.

5. The aforesaid disputed question of fact cannot be gone into while exercising writ jurisdiction under Article 226 of Constitution of India.

6. However, this petition stands disposed of with direction to the concerned competent authority i.e. respondents No.2 to 8 to ensure that respondent No.9 adheres to the revised mining plan for transporting the excavated mineral and in case of any breach of the said revised mining plan, penal action be taken against respondent No.9 after following the due process of law.

7. Pending applications, if any, shall also stand disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

05.02.2025
Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No