



114

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCWP-34259-2024 (O&M)*Date of Decision: 26th February, 2026.**SARBJIT SINGH AND OTHERS**..... Petitioner(s)*V/s*STATE OF PUNJAB AND OTHERS**.....Respondent(s)*

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

Present Mr. R.S. Bains, Senior Advocate, assisted by
Mr. Mukesh Singla, Advocate and
Mr. Rajinder Yadav, Advocate,
for the petitioners.

Ms. Samdisha Kaur, AAG, Punjab, assisted by
Mr. Abhishek Attri, Junior Engineer,
Mining Department, Pathankot.

Mr. Saurav Bhatia, Advocate,
Mr. Navdeep Khokhar, Advocate, and
Mr. Manik Moudgil, Advocate for respondent No.2.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This Writ Petition has been filed by 17 petitioners, challenging the grant of mining licence in favour of respondent No.2, on the ground that in the garb of such mining permit, respondent No.2 is encroaching upon the other lands.

2. In para 2 of the Writ Petition, petitioners No.1 and 2 have given details of their land. In Para 4, it is stated that the mining carried out by respondent No.2 is on the land abutting the land of the present petitioners. Prayer consequently has been made in the Writ Petition to

restrain respondent No.2 from proceeding further under the concessionaire agreement.

3. Taking cognizance in the matter, we proceeded to pass the following orders on 13.10.2025:-

“Vide order dated 18.12.2024, this Court had noticed the environmental interest involved in the matter and directed the State to file a status report. The Deputy Commissioner, Pathankot was directed to personally supervise the exercise by associating competent Officers and submit a report on the next date.

Though, status report has been submitted by the Deputy Commissioner, Pathankot but it does not appear that the Deputy Commissioner, Pathankot has himself supervised the exercise and what appears to have happened is that only a Revenue Team was constituted and based upon its report, the status report has been filed.

In our view, the status report filed in the matter does not meet the requirement of the previous order passed by this Court.

In such view of the matter, we call upon the Deputy Commissioner, Pathankot to himself inspect the spot and submit a fresh status report keeping in view the allegations made in the instant writ petition.

So far as locus and credentials of petitioners are concerned, the issue would be examined on the next date.

Adjourned to 10.11.2025.”

4. A subsequent affidavit of the Deputy Commissioner, Pathankot has been filed, reiterating the contents of the earlier report of the Revenue Team as per which, it is stated that the allegations made in the Writ Petition are factually incorrect. It has also been observed that mining activity is

being carried out on the commercial mining site of Shahpur Gopi and Gol for which environmental clearance certificate has been obtained by respondent No.2.

5. In para 7 of the affidavit dated 15.01.2025 of the Deputy Commissioner, Pathankot, it is alleged that petitioners No.1 and 2 are accused of illegal mining and that FIRs have been lodged against them. Para 7 of the said affidavit reads as under:-

“7. It is submitted that some of the petitioners have been booked under Section 21(1) of Punjab Minor Mineral Rules, 2013. The details of FIR lodged (Annexure R-4) are as follows:-

Sr. No.	FIR No. & dated	Police Station	Details of Petitioner(s) Accused in the FIR	Quantity of excavated minerals
1.	0027/27.02.2022	Narot Jaimal Singh	1. Rajinder Singh S/o Sansar Singh (Petitioner No.2)	13125 cft
2.	0005/09.01.2023	Narot Jaimal Singh	1. Sarabjit Singh S/o Sansar Singh (petitioner No.1)	2,17,800 cft
3.	00028/12.06.2023	Narot Jaimal Singh	1. Sarabjit Singh S/o Sansar Singh (petitioner No.1)	2,68,800 cft
4.	0016/21.02.2024	Narot Jaimal Singh	1. Sarabjit Singh S/o Sansar Singh (petitioner No.1) 2. Rajinder Singh S/o Sansar Singh (Petitioner No.2)	21,00,000 cft

7. Learned Senior Counsel for the petitioners submits that apart from the two petitioners, against whom FIRs have been lodged, there are several other petitioners, including the present Sarpanch and the previous Sarpanch of the Village in question.

8. Be that as it may, from the pleadings made in the Writ Petition, it is apparent that the grievance highlighted is with regard to the alleged mining on the land next to the land of the petitioners No.1 and 2. So far as

other 15 petitioners are concerned, neither their plot Nos. have been mentioned nor is it shown as to how they are aggrieved. The Deputy Commissioner has filed a specific affidavit, clearly denying the allegations made in the Writ Petition. Petitioners No.1 and 2 are the persons, who are prosecuting the Writ Petition inasmuch the affidavit in support of the Writ Petition has also been filed by petitioner No.1. Petitioner No.1 and his brother (Petitioner No.2) have suppressed the fact that they too are accused of illegal mining and FIRs are pending against them.

9. Considering the foregoing facts, we are of the view that the petitioners' locus and credentials to maintain the present proceedings are highly suspected. This Court, therefore, declines to entertain the grievance raised in the Writ Petition at their instance. Consequently, the writ petition is **dismissed**.

10. All pending applications, if any, in this case are dismissed of accordingly.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

February 26, 2026
Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>