



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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COCP-5580-2025 (O&M)
Date of decision: 23.03.2026

Harjinder Singh

...Petitioner

V/s

Kamal Kishore Yadav and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Ms. Rashika Bansal, Advocate, for
Mr. Lakhwinder Singh Mann, for the petitioner.
Ms. Shiny Chopra, AAG, Punjab.

VIKRAM AGGARWAL, J (ORAL)

The instant contempt petition alleges disobedience of order dated
05.02.2025 (Annexure P-1) passed in CWP-28603-2023;

- “1. The petitioner, who is a resident of Village Akuwal, Tehsil 1. 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 21.05.2024 noticed that the private respondent No.12 was a mining lessee, 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.”

2. Apart from other compliance affidavits submitted previously, another compliance affidavit of Sh. Ankur Gupta, Senior Superintendent of Police, District Ludhiana (Rural) on behalf of respondent No.7 filed in Court today is taken on record. In the said affidavit, it has been stated as under:-

“IV. That further to make sure that the aforesaid order dated 05.02.2025 passed by this Hon'ble Court in CWP-28603-2023 is strictly complied with, the office of the deponent, i.e. the Senior Superintendent of Police, District Ludhiana (Rural), issued a letter No. 65113-14/AC-3 dated 20.11.2025 to the Station House Officer, Police Station Sidhwan-Bet and DSP Sub-Division Jagraon, District Ludhiana (Rural), directing strict compliance with the revised mining plan for transportation of sand in tippers and tractor-trolleys. The SHO was further directed to set up naka(s) within the concerned villages so that in case any individual or authorized person of respondent No. 9 violated the revised mining plan, appropriate action, in accordance with law, including issuance of traffic challans, could be taken.

V. That it is brought to the notice of this Hon'ble Court that strict compliance of the order dated 05.02.2025 passed in CWP-28603-2023 was duly made. In this regard, joint statements of the Sarpanch and Panchayat Members of villages Akuwal, Gag Kalan and Bhaini Gujran were duly recorded. The said joint statements corroborated that no heavy vehicles carrying sand were allowed to enter the villages. From February 2025 to September 2025, which period also included the time of floods, no heavy vehicles such as tippers or tractor-trolleys were permitted to enter the villages. Further, it was stated that with effect from 01.10.2025, when mining operations resumed as per approval of the Punjab Government from Village Akuwal, any vehicle that inadvertently entered the villages due to lack of knowledge of the correct route was immediately stopped by the police party.

Further, it was stated that the police party, along with officials of the Mining Department, periodically blocked village roads to ensure that no heavy loaded vehicle violated the mining plan. The aforesaid joint statements were duly signed by the Sarpanch and Panchayat Members/authorized persons.

VI. That it is pertinent to mention that naka(s) were set up to apprehend violators, and those found violating the revised mining plan by entering the villages with overloaded vehicles were issued traffic challans

amounting to Rs. 20,000/- each under different challan numbers. The heavy vehicles carrying sand were prohibited from entering the aforesaid villages by the police party. These facts were duly recorded in various DDRS, i.e. DDR No. 16 dated 30.10.2025, DDR No. 28 dated 10.11.2025, DDR No. 26 dated 22.11.2025, DDR No. 19 dated 23.11.2025, DDR No. 25 dated 24.11.2025, DDR No. 36 dated 26.11.2025, DDR No. 02 dated 27.11.2025 and DDR No. 25 dated 05.12.2025.

VII. That it is further submitted that vide Order No. 922 dated 24.12.2025 passed by the Chief Engineer, Drainage-cum-Mines & Geology, Punjab, Chandigarh, the mining operations and lifting of minerals from the concession area, i.e. Akuwal Cluster situated at Village Akuwal, District Ludhiana (Rural), were stopped w.e.f. 01.01.2026. This action was taken as respondent No. 9, Gurpreet Sabharwal, Managing Director of Tirupati Earth and Project Works Private Limited, failed to deposit outstanding and pending dues, including non-deposit of quarterly installments, as per the concession agreement executed on 17.10.2023 between the Director, Mines & Geology, Punjab and M/s Tirupati Earth and Project Works Private Limited. Consequently, mining operations were suspended and a complete ban was imposed on lifting of minerals from the concession area.”

3. That being so, learned counsel for the petitioner submits that he does not press the present contempt petition as no grievance subsists at this stage, and that the petitioner shall, if so advised, avail all such remedies as shall be admissible in law against the said order.

4. In view of the statement given by learned counsel for the petitioner, the present contempt petition is disposed of as not having been pressed. Rule stands discharged.

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

(VIKRAM AGGARWAL)
JUDGE

March 23, 2026
vcgarg

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