
(2010) 06 SHI CK 0014
In the High Court Of Himachal Pradesh
Case No : CWP No. 2261 of 2010

Jai Naina Devi Stone Crusher

APPELLANT

Vs

State of H.P. and Others

RESPONDENT

Date of Decision : 21-06-2010

Acts Referred:

Citation : (2010) 06 SHI CK 0014

Hon'ble Judges : Kurian Joseph, C.J;Kuldip Singh, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The Writ Petition is filed with following prayers:

(a) That the withdrawal order dated 29-4-2010 (Annexure P-5) withdrawing the Registration Certificate of the Petitioner's Stone Crusher may kindly be declared illegal, unconstitutional and ultra vires and same may kindly be directed to be quashed and set aside qua the Petitioner.

(b) That the Respondent may kindly be directed to grant the mining lease to the Petitioner for the area which has been applied and recommended by the Joint Inspection Committee.

2. It is not in dispute that the application of the Petitioner is being duly processed. According to the Petitioner, he has complied with all the required formalities for the purpose of the lease. It is the submission of the Petitioner that he is suffering huge loss everyday in view of the infrastructure already provided at the site and the investment made therein.

3. Since, it is submitted that the application is under process, this Writ Petition is disposed of directing the competent authority to take a decision on the application filed by the Petitioner within two weeks on production of the copy of this judgment alongwith a copy of the Writ Petition by the Petitioner. It is made clear that in case the mining lease is granted, the electricity connection will be restored forthwith.

4. With these observations, the Writ Petition is disposed of, so also the pending application(s), if any.