

GAHC040000932025



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/30/2025

M/s Shri Balaji Minerals
represented by Shri Ojing Darin, proprietor, Son of Shri Token Darin, resident of
Mebo Village, PO and PS Mebo, East Siang District, Arunachal Pradesh.

VERSUS

The State of AP and 5 Ors
represented by the Secretary, Geology and Mining, Govt of Arunachal Pradesh,
Itanagar.

2:The Director
Age: 0
Occupation :
Geology and Mining
Govt of Arunachal Pradesh
Itanagar.

3:The State Geologist
Age: 0
Occupation :
Geology and Mining
Govt of Arunachal Pradesh
Itanagar.

4:The Deputy Commissioner
Age: 0
Occupation :
Pasighat
East Siang District
Arunachal Pradesh.

5:The Assistant Mineral Development Officer
Age: 0

Occupation :
Office of the Additional Deputy Commissioner
Mebo
East Siang District
Arunachal Pradesh.

6:The Additional Deputy Commissioner
Age: 0
Occupation :
Pasighat
East Siang District
Arunachal Pradesh

Advocate for the Petitioner : H K Jamoh, Eddie Payeng, Gallen Taloh

Advocate for the Respondent : GA (AP),

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 21.01.2025

Heard Mr. H. K. Jamoh, learned counsel for the petitioner. Also heard Mr. R. H. Nabam, learned Additional General Advocate for the respondents.

By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the order dated 04.06.2024 (Annexure-3), whereby the operation of the petitioner's Stone Crusher Unit was stopped from functioning.

The learned counsel for the petitioner submitted that PIL No. 17(AP)/2023 is pending before this Court against the operation of the petitioner's Stone Crusher Unit, in which no interim order was passed. Moreover, the National Green Tribunal is also in seisin of the Original Application No. 10/2024/E2, on

the same subject matter, but no interim order has been passed. Accordingly, it is submitted that the authorities, having recorded their satisfaction that there is full compliance with the requirements, could not have stayed the operation of the Stone Crusher Unit.

Issue notice including notice on the prayer for interim relief, returnable on 05.02.2025.

Mr. R. H. Nabam, learned Additional Advocate General accepts notice for all the respondents. Requisite extra copies of the writ petition be served to him in course of the day.

In view of submissions made by the learned counsel for the petitioner, the prayer for interim relief shall be taken up for consideration on the next date of listing.

List the matter on 05.02.2025.

JUDGE

Comparing Assistant