

Court on its own motion Vs. State of H.P. & others & other connected matters.

CWPIL No. 108 of 2017 a/w CWP Nos. 2454 of 2016, CWPIL Nos. 17 of 2016, 45 of 2018, 12 & 47 of 2021, 25 & 67 of 2022.

22.11.2022 Present: Mr.Sanjeev Kumar Suri, as Amicus Curiae in CWPIL No. 108 of 2017, Mr. B.C. Negi, Senior Advocate as Amicus Curiae with Mr. Nitin Thakur, Advocate in CWPIL Nos. 17 of 2016 & 45 of 2018..

M/s. Deepak Kaushal, Vinod Chauhan, Ashok Kumar Verma, Vinod Chauhan, and Adarsh Kumar Vashista, Advocates, for the respective petitioners.

Mr. Ashok Sharma, Advocate General with Ms. Ritta Goswami, Additional Advocate General, for the respondents-State.

Mr. Balram Sharma, Deputy Solicitor General of India, for Union of India.

Mr. K.D. Sood, Senior Advocate with M/s Ranjana Chauhan, Mr. Ram Murti Bisht, Sunil Mohan Goel, Naveen K. Bhardwaj, Renuka Thakur, H.K.S. Thakur, Manish Sharma, Raman Prashar, B.C. Verma, Anila Chauhan, Munish Datwalia, Amar Parth Sharma & Deepak Kaushal, Advocates, for the respective respondents.

CWPIL No. 108 of 2017

The present CWPIL was filed in the year 2017.

The grievances in the PIL is about the illegal and excessive mining of sand and gravel from the Garni Khad and drying up of wells and water ponds (which were constructed with the grants-in-aid given by the Government), due to which the villagers are deprived of fresh water from their old water sources.

Grievance has also been made in respect of adverse effect of stone crushers and removal of sand, stone and aggregate from the Khad.

2. By the order dated 21.12.2017, this Court had directed the Central Ground Water Board, North Himalayan Region, the Deputy Commissioner, Una, the Superintendent of Police, Una and the Pollution Control Board to visit the spot and carry out inspection and file a report. It has been five years from the date of passing of the aforesaid order.

3. To ascertain the ground, we again direct the aforesaid respondents, i.e. respondent No. 4-Deputy Commissioner, Una, respondent No. 5-Superintendent of Police, Una and respondent No. 9-Pollution Control Board to again visit the spot and make a report on the grievances made by the petitioner. We also direct respondent No. 8-Central Ground Water Board, North Himalayan Region to inspect the Garni Khad/Takarla, Tehsil Amb, District Una, in respect of the grievances pointed out in the present PIL. Such report shall be submitted by the respondents before the next date..

CWPIL No. 67 of 2022

4. Registry to ensure that the report and affidavits, which are stated to have been filed on 18.10.2022, are placed on record by the next date.

5. List all the cases on **26.12.2022.**

(A.A. Sayed)
Chief Justice

November 22, 2022
(hemlata)

(Tarlok Singh Chauhan)
Judge

