

**Court on its own motion vs. State of H.P and others
alongwith connected matters**

CWPIL No. 108 of 2017 alongwith CWPIL
Nos. 17 of 2016, 12/2021, 47 of 2021 and 25
of 2022

13.09.2023 Present: Mr. Sanjeev K. Suri, Advocate as Amicus Curiae in CWPIL No. 108 of 2017, Mr. Ganesh Barowalia, Advocate for the petitioner in CWPIL No. 17 of 2016.

Mr. Anup Rattan, Advocate General with Mr. Rakesh Dhaulta, Additional Advocate General, Mr. Arsh Rattan and Mr. Sidharth Jalta, Deputy Advocate Generals, for the respondents-State.

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

Mr. K.D Sood, Sr. Advocate with Mr. Rahul Gathania, Advocate, Mr. Deepak Kaushal, Senior Advocate with Mr. Abhishek Verma, Advocate, Mr. Manish Sharma, Advocate, Mr. Mukul Sharma, Mr. Tara Singh Chauhan, Advocate, for the respective respondents in the respective petitions.

The Deputy Commissioner, Una has filed an affidavit stating that the distance between location of Stone Crusher Unit of M/s Thakur Enterprises near Garni Khud and the mining lease granted to the said party in the Swan River in village Kuthera Jaswalan is 7724 m. i.e. less than 10 kms. which is the maximum distance permitted under the Rules. Therefore, it cannot be said that the location of Stone Crusher Unit of M/s Thakur Enterprises is beyond the permissible distance from the mining lease granted to it.

The Member Secretary, Himachal Pradesh Ground
Water Authority, Jal Shakti Bhawan, Shimla, shall file a status
report as to availability of drinking water in the wells in the
area in question by the next date of hearing.

List on **03.01.2024**.

(M.S. Ramachandra Rao)
Chief Justice

13th September, 2023
(priti)

(Ajay Mohan Goel)
Judge