

**Rajheshwar Singh Guleria vs. Amar Singh & Ors.
Civil Suit No. 46 of 2023**

26.09.2023

Present: Mr. Deepak Kaushal, Senior Advocate, with Mr. Abhishek Verma, Advocate, for the plaintiff.

M/s Ramakant Sharma, Rupinder Singh and Pushpinder Jaswal, Additional Advocate Generals with Ms. Ranjna Patial and Mr. Sumit Sharma, Deputy Advocate Generals, for defendants No.9 to 12.

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Issue notice. Mr. Pushpinder Jaswal, learned Additional Advocate General, accept notice on behalf of defendants No.9 to 12. Notice be issued for the service of defendants No.1 to 8, returnable for 13.10.2023. For the purpose of service, the matter be listed before the Additional Registrar (Judicial).

OMP No. 449 of 2023

Notice in the above terms.

Having heard learned Senior Counsel appearing for the applicant, in the interregnum, the non-applicants No.1 to 8 are restrained from causing any obstruction in the installation of the Stone Crusher in Mahal Jatehad, Mauza Jalari, Tehsil & District Kanga, H.P., comprising of Khata No. 81, Khatauni No. 137, Khasra No. 1256/746, measuring 0-36-05 hectares, for the purpose of mining operation by the applicant. This interim has been passed by the Court as the learned Senior Counsel for the applicant has submitted that despite the applicant having all permissions in his favour for the purpose of installation of Stone Crusher, installation thereof is being obstructed by the

non-applicants. However, it is clarified that this order should not be construed as if this Court has granted any permission in favour of the applicant to set up any Stone Crusher if he does not has requisite permission for the setting up of the same. This order is subject to the compliance of the provisions of Order 39 Rule 2-A.

(Ajay Mohan Goel)
Judge

September 26, 2023
(*Vinod*)