

**Rajeshwar Singh Guleria vs.Amar Singh & Ors.**

**C.S. No.46 of 2023**

**02.04.2026 Present:** Mr. Deepak Kaushal, Senior Advocate with Mr. Abhishek Verma, Advocate, for the plaintiff.

Mr. Nimish Gupta, Advocate, for defendants No.1 to 8.

Mr. Manoj Chauhan, Mr. Raj Kumar Negi, Additional Advocates General with Mr. Ankush Thakur, Mr. Balvinder Singh Ballu and Ms. Archana Negi, Deputy Advocates General, for defendants No.9 to 12/State.

On the pleadings of the parties, the following issues are framed:

1. Whether the plaintiff is the lawful lessee of the private land comprising Khasra No.1256/746 measuring 0-36-05 hectares situated at Mohal Jatehar, Mauza Jalari, Tehsil & District Kangra, H.P. and has been validly granted a mining lease/quarry over Baner Khad (Khart) comprising Khasra Nos. 1245 & 890, measuring 2-36-37 hectares in Mohal Kharti, Maira Mauza Nandrool, Khart, Tehsil & District Kangra, H.P.?...OPP.
2. Whether the plaintiff has obtained all statutory permission, approvals, Letter of Intent dated 15.12.2018, Lease Deed dated 07.08.2019, Provisional Registration Certificate, Consent to Establish/Operate, for installation and operation of the stone crusher as well as mining activities on the suit land? ...OPP.
3. Whether defendants No.1 to 8 (or any of them) have any right, title, interest, jurisdiction or legal authority to interfere in the plaintiff's lawful mining operations and/or installation of the stone crusher on the suit land? ...OPP
4. Whether defendants No.1 to 8 have illegally, unauthorizedly and without any authority of law obstructed, interfered with and stopped the

plaintiff's mining operations and installation of the stone crusher since December 2020/July 2023, as alleged in the plaint? ...OPP

5. Whether on account of the illegal interference by defendants No.1 to 8 (particularly defendants No.1 & 8), the plaintiff has suffered monetary loss/damages to the tune of Rs.1,15,00,000/- (Rupees One Crore Fifteen Lakhs only) and is entitled to a decree for recovery of the said damages? ...OPP
6. Whether the plaintiff is entitled to a decree of permanent prohibitory injunction and mandatory injunction restraining defendants No.1 to 8, their agents, employees, representatives or any other person acting on their behalf from interfering in any manner whatsoever with the installation and operation of the plaintiff's stone crusher and mining activities over the suit land? ...OPP
7. Whether the suit is not maintainable in its present form or is barred by any law? ...OPD.
8. Whether the plaintiff has suppressed material facts and has not approached this Court with clean hands, particularly with regard to the objections raised by the concerned Gram Panchayat(s) and the Site Appraisal Committee proceedings? ...OPD.
9. Whether the defendants were justified in raising objections and/or taking steps in the interest of the village /community to prevent unscientific/illegal mining activities and environmental degradation in the area? OPD
10. Relief.

Issues have been read over and explained to the parties. No other issue arises nor claimed.

Process Fee, list of witnesses and additional documents, if any, be filed within a period of two weeks and thereafter, list the case before the Additional Registrar (Judicial) for fixing date for the evidence of the plaintiff.

**( Sushil Kukreja )  
Judge**

**April 02, 2026**  
(reena)