

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP(C) No. 2618/2025

M/s Bharat Stone Crusher

.....Petitioner

Through: Mr. Ajay Abrol, Advocate vice
Mr. Parag Sharma, Advocate

Vs

UT of J&K & Ors.

.....Respondent

Through:

CORAM: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER
(22.09.2025)

- 01.** The petitioner, in the present writ petition, has challenged the communication dated 03.09.2025 issued by respondent No. 3-District Mineral Officer, Kathua, whereby the petitioner has been asked to deposit a penalty of Rs. 14,07,600/- on account of illegal stacking of minor minerals within his premises.
- 02.** Learned counsel for the petitioner has submitted that while issuing the impugned communication, respondent No. 3 has relied upon a communication dated 07.03.2025 by terming the said communication as a penalty order whereas a perusal of the communication dated 07.03.2025 clearly shows that the same is only a show-

cause notice and not an order of penalty. It has been submitted that the petitioner has already filed reply to the said show-cause notice but the respondent No. 3 without considering the said reply has issued the impugned communication without even passing an order of penalty.

- 03.** Issue notice to the respondents.
- 04.** Mr. Dewakar Sharma, learned Deputy Advocate General, accepts notice on behalf of the respondents. He seeks time to file reply to the writ petition. Needful be done by the next date of hearing.
- 05.** List along with WP(C) No. 2571/2025 on 18.11.2025.
- 06.** In the meanwhile, subject to objections and till next date of hearing before the Bench, the operation of the impugned communication dated 03.09.2025 issued by respondent No. 3-District Mineral Officer, Kathua, shall remain in abeyance.

(SANJAY DHAR)
JUDGE

JAMMU
22.09.2025
SUNIL