

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).21433-21441/2005

(From the judgement and order dated 20/05/2005 in CWP No. 6883/2005, CWP No. 6651/2005, CWP No. 6796/2005, CWP No. 6848/2005, CWP No. 6466/2005 CWP No. 6787/2005, CWP No. 7160/2005, CWP No. 6913/2005 and CWP No. 6834/2005 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

SECY, TO GOVT. PUNJAB INDUS. DEPT. & ORS

Petitioner(s)

VERSUS

MOHINDER KUMAR & ORS.

Respondent(s)

(With prayer for interim relief )

Date: 07/11/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s)

Mr. R.S. Cheema,Adv. General for Punjab

Mr. D.P.Singh, adv.

Mr. Sanjay Jain,Adv.

For Respondent(s)

Mr.Nidhesh Gupta, Adv.

(For RR-1)

Mr.Vinod Shukla, Adv.

Ms. S. Janani,Adv.

UPON hearing counsel the Court made the following

O R D E R

Counsel for the petitioners states that there are several directions given by the High Court

but the petitioners are aggrieved by the direction given by the High Court directing the petitioners to

clearly demarcate by giving khasra numbers etc. and specifying the quarrying area to be auctioned.

Counsel for the petitioners states that it is not possible to demarcate the quarrying area in the manner

directed by the High Court. The Petitioners auction the entire hadbasta giving the relevant particulars

as regards the number of quarries available in that area. The quarrying activity of the licensee is not

limited by acreage and he can carry on his quarrying activity anywhere in the hadbasta settled with

him. There is no limitation that he shall carry on quarrying activity within a particular specified area

within the hadbasta. Counsel for respondent No. 1 present on caveat states that

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if such be the legal position then he can have no objection to the impugned order being modified or

clarified. We direct the petitioners to file an affidavit sworn by an officer not below the rank of

Secretary to the Govt. of Punjab within three weeks clarifying the position, as aforesaid, whereafter we

shall pass orders.

Issue notice. Counsel for respondent NO. 1 present on caveat accepts notice. Notice to

non-appearing respondents be made returnable within three weeks.

(Ajay Kr. Jain)

(Vijay Dhawan)

Court Master

Court Master