

ITEM NO.19

COURT NO.1

SECTION XIV

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

Petition(s) for Special Leave to Appeal (C) No(s). 6638/2021

(Arising out of impugned final judgment and order dated 10-03-2021 in WPC No. 2156/2020 passed by the High Court Of Himachal Pradesh At Shimla)

TILAK RAJ & ORS.

Petitioner(s)

VERSUS

THE STATE OF HIMACHAL PRADESH & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.58699/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.58698/2021-EXEMPTION FROM FILING O.T.)

Date : 10-10-2022 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Mr. Mohd. Saquib Siddiqui, Adv.
Mr. Ankur Prakash, AOR
Mr. Amod Kumar Bidhuri, Adv.
Mr. Yudhister Bhardwaj, Adv.
Mr. Dhananjay Singh, Adv.
Ms. Priyanka Singh, Adv.
Ms. Jyoti Sharma, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The judgment under challenge is based on the fact that the stone crusher in question was never in operation and has relied upon a report submitted by the local Commissioner.

The High Court went on to impose an amount in the sum of Rs.50,000/- (Rupees fifty thousand only) by way of costs.

Considering the status as recorded by the High Court, we see no reason to interfere. However, if there be any change in the status and the stone crusher in question is put in operation, the petitioners shall be entitled to have the writ petition revived.

Considering the facts and circumstances on record, in our view, the petitioners are entitled to be relieved of the burden of costs. Directed accordingly.

With the aforesaid directions, the special leave petition and pending applications are disposed of.

(NEETU KHAJURIA)
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)
COURT MASTER