

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPPIL No.168 of 2019 <u>Shri Vipin Sanghi, C.J.</u> <u>Shri Ramesh Chandra Khulbe, J.</u></p> <p>Mr. V.K. Shukla with Mr. Dushyant Mainali and Mr. Sugam Mishra, learned counsels for the petitioner.</p> <p>Mr. A. S. Rawat, learned Special Senior Counsel assisted by Mr. B. P. S. Mer, learned Brief Holder for the State of Uttarakhand.</p> <p>Mr. Rakesh Thapliyal, learned Assistant Solicitor General assisted by Mr. Pankaj Chaturvedi, learned Standing Counsel for the Union of India.</p> <p>Mr. Aditya Pratap Singh, learned counsel for respondent no.3.</p> <p>Mr. D. S. Patni, learned Senior Counsel assisted by Mr. Vipul Sharma and Mr. Dharmendra Barthwal, learned counsel for respondent nos.5 & 6.</p> <p>Written submissions have been filed on behalf of the petitioner and respondent no.3. Respondent nos.5 & 6 have filed their submissions with the nomenclature "Convenience Sheet". The State i.e. respondent nos.1 and 2 have not yet filed their written submissions.</p> <p>An affidavit has been filed of Mr. Rajendra Singh Patiyal, Joint Secretary, Industrial Development (Mining Deptt.),</p>

Government of Uttarakhand, statedly, in terms of our last order dated 27.07.2022 wherein, we had required the filing of an affidavit by the Director Geology Mining, categorically stating, whether the stone crusher, in question, situated at Village Bhuvdevpur Patti, Hadukhata, Kotdwar, District Pauri Garhwal, falls in the hill area or the plain area in terms of the Policy of the State dated 19.11.2016 bearing no.1758/VII-1/16/68-writ/2008.

The affidavit, as filed, does not categorically state whether the Stone Crusher, in question, falls within the hill area or the plain area. It is ambiguous.

In these circumstances, we direct the Director, Geology Mining, Govt. of Uttarakhand to personally remain present in the Court on the next date to make a statement in the aforesaid regard.

List the matter on 23.08.2022.

The affidavit filed by respondent nos.1 and 2 be circulated and shared with respondent nos.5 and 6 as well.

(R.C. Khulbe, J.) (Vipin Sanghi, C.J.)

03.08.2022

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