CWP No. 3554 of 2012-F

27.07.2012 Present: Mr. Rajiv Jiwan, Advocate, for the petitioner.

Mr. Vivek Singh Thakur, Additional Advocate General, for respondents No. 1, 2 and 4 to 6.

Mr. Anil Chauhan, Advocate, for respondents No. 3 and 7.

Though we had indicated that we would appoint an expert to look into the aspect whether the setting up of the crusher would adversely affect the ecology of the area and the functioning of the percolation wells, we find that the cost of appointing experts is itself quite high. The civil works, which have been done by the petitioner, are still at the initial stage and his mining site is at a distance of 2½-3 kms, though, on behalf of the respondents, it is stated that by road it is 5 kms.

2. Be that as it may, in case some site can be found near to the mining area, it would be advantageous to all sides. We, therefore, direct respondent No. 6 to consider fresh sites proposed by the petitioner as well as the respondent-Department for setting up of the crusher. The petitioner as well as the respondent-Department shall give their list of recommended sites to respondent No. 6 on or before **17th August, 2012** and the joint inspection shall be carried out within three works from that date. List the matter in Court on **14th September, 2012.**

Copy **dasti.**

(Deepak Gupta)
Judge

(Sanjay Karol)
Judge

July 27, 2012
(rajni)