

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 28<sup>TH</sup> DAY OF DECEMBER, 2012

PRESENT

THE HON'BLE MR.JUSTICE H. BILLAPPA

AND

THE HON'BLE MR.JUSTICE V.SURI APPA RAO

**WRIT PETITION NOS. 52365-52372/2012 (GM-MM-S)**

BETWEEN:

1. M/S. IGOL STONE CRUSHER,  
HOLAGUNDI VILLAGE, TQ:HADAGALI,  
DIST: BELLARY-583139,  
BY ITS PROPRIETOR,  
SRI. SURESH KUMAR.
2. M/S. RAGHAVENDRA STONE CRUSHER,  
HALEKOTE VILLAGE, TQ:SIRUGUPPA,  
DIST:BELLARY-583135,  
BY ITS PROPRIETOR,  
SRI. RAJA SHEKHAR REDDY.
3. M/S. SAINATHA STONE CRUSHER,  
HALEKOTE VILLAGE, TQ:SIRUGUPPA,  
DIST:BELLARY-583135,  
BY ITS PROPRIETOR,  
SRI. P.A. RAMAKOTESHWARA RAO.
4. M/S. GANESH STONE CRUSHER,  
KUDUTHINI VILLAGE,

TQ:DIST: BELLARY-583129,  
BY ITS PROPRIETOR,  
SRI. RAVINDRAMAT TAGOR.

5. M/S. SRI. VENKATESHWARA STONE CRUSHER,  
PAPINAYAKANAHALLI, TQ: HOSPET,  
DIST: BELLARY-583101,  
BY ITS PROPRIETOR,  
SRI. K. RINIVAS RAO.
6. M/S. R.R. CONSTRUCTION,  
KAVERI NAGAR KUDLIGI, TQ: KUDLIGI,  
DIST: BELLARY-583101,  
BY ITS PROPRIETOR,  
SRI.K. JATHAPPA.
7. M/S. SRI.BASAVESHWARA STONE CRUSHER,  
KADALABALU VILLAGE,  
TQ: HAGARIBOMMANAHALLI,  
DIST: BELLARY-583201,  
BY ITS PROPRIETOR,  
SRI. H.A.KOTRESH.
8. M/S. UDAY STONE CRUSHER,  
DASARAHALLI THANDA,  
HAMPASAGARA ROAD,  
TQ:HUVINAHADAGALI,  
DIST: BELLARY-583201,  
BY ITS PROPRIETOR,  
SRI. NARENDRA RADDY.Y,

... PETITIONERS

(BY SRI.HANUMANTHAREDDY SAHUKAR, ADV.)

AND

1. THE STATE OF KARNATAKA,  
DEPARTMENT OF MINES AND GEOLOGY,  
KANIJA BHAVAN, RACE COURSE ROAD,  
BANGALORE- 560001.  
BY ITS DIRECTOR.
2. THE KARNATAKA STATE  
POLLUTION CONTROL BOARD,  
PARISARA BHAVAN, 4<sup>TH</sup> & 5<sup>TH</sup> FLOOR,  
NO. 49, CHURCH STREET,  
BANGALORE-560009,  
BY ITS CHAIRMAN.
3. THE DEPUTY COMMISSIONER,  
BELLARY DISTRICT,  
BELLARY-583261.
4. THE EXECUTIVE ENGINEER,  
GULBARGA ELECTRICITY SUPPLY COMPANY,  
O & M BELLARY TQ,  
DIST: BELLARY-583201.
5. THE ASSISTANT EXECUTIVE ENGINEER,  
GULBARGA ELECTRICITY  
SUPPLY COMPANY,  
O & M BELLARY TQ,  
DIST: BELLARY-583201.
6. THE ASSISTANT EXECUTIVE ENGINEER,  
GULBARGA ELECTRICITY  
SUPPLY COMPANY,  
O & M SIRUGUPPA,  
DIST: BELLARY-583201.

7. THE ASSISTANT EXECUTIVE ENGINEER,  
GULBARGA ELECTRICITY  
SUPPLY COMPANY,  
O & M HADAGALI,  
DIST: BELLARY-583201.
8. THE ASSISTANT EXECUTIVE ENGINEER,  
GULBARGA ELECTRICITY  
SUPPLY COMPANY,  
O & M HUVINAHADAGALI,  
DIST: BELLARY-583201.
9. THE ASSISTANT EXECUTIVE ENGINEER,  
GULBARGA ELECTRICITY  
SUPPLY COMPANY,  
O & M HOSPET,  
DIST: BELLARY-583201.
10. THE ASSISTANT EXECUTIVE ENGINEER,  
GULBARGA ELECTRICITY  
SUPPLY COMPANY,  
O & M KUDLIGI,  
DIST: BELLARY-583201.
11. THE ASSISTANT EXECUTIVE ENGINEER,  
GULBARGA ELECTRICITY  
SUPPLY COMPANY,  
O & M HAGARIBOMMANAALI,  
DIST: BELLARY-583201.

... RESPONDENTS

(BY SRI. R.G. KOLLE, GA FOR R1 & R3  
SRI. D. NAGARAJ, ADV. FOR R2  
SRI. N.K. GUPTA, ADV. FOR R4-R11)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DT.30.8.12 & 5.9.12 PASSED BY THE R2 PRODUCED AS ANN-C TO C7 RESPECTIVELY.

THESE WRIT PETITIONS COMING ON FOR PRELIMINARY HEARING THIS DAY, **H. BILLAPPA, J.**, PASSED THE FOLLOWING:

**ORDER**

Sri. R.G. Kolle, learned Government Advocate is directed to take notice for the respondents 1 and 3.

Sri. D. Nagaraj, advocate, is directed to take notice for the respondent No.2.

Sri. N.K. Gupta, advocate, is directed to take notice for the respondents 4 to 11.

2. The learned counsel for the parties submit that the matter has been covered by the decision of this Court in W.P. No.41069/2012.

3. The petitioners have filed applications for grant of license on 17.12.2012, 29.11.2012, 04.12.2012, 24.12.2012, 22.12.2012, 29.11.2012 and 27.11.2012 respectively. The

applications need to be considered within three months. The matter is covered by the decision of this Court in W.P. No. 41069/2012.

4. Therefore, the writ petitions are disposed of directing the 3<sup>rd</sup> respondent to consider the applications of the petitioners vide Annexures-D2 to D7 dated 17.12.2012, 29.11.2012, 04.12.2012, 24.12.2012, 22.12.2012, 29.11.2012 and 27.11.2012 respectively within the stipulated period of three months. Consequently, Annexures-C to C7 issued by the 2<sup>nd</sup> respondent are hereby quashed. The respondents are directed to permit the operation of the petitioners units till the disposal of the applications in accordance with law within the stipulated period of three months.

**Sd/-  
JUDGE**

**Sd/-  
JUDGE**

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