

CWP No.11801 of 2015

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.11801 of 2015

Date of Decision: July 20, 2015

Rohit Kalia

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (Oral):

It is the contention of the counsel for the petitioner that the petitioner is aggrieved on the inaction on the part of the respondents for not giving effect to the order dated 12.06.2014 (Annexure P-2) passed by the Senior Environmental Engineer, Punjab Pollution Control Board, Jalandhar Zone, Jalandhar, vide which directions were issued to respondents No.5 and 6 to close down the unit situated in H.No.09-A, Gopal Nagar, near Sain Dass School, Jalandhar, relating to the cutting process at the site and shifting the complete unit from the residential site to the designated industrial zone, within a period of three months from the date of the order. A show cause notice was issued by the Commissioner, Municipal Corporation, Jalandhar, dated 08.08.2014 (Annexure P-3) but no further step thereafter has been taken on the said order. Petitioner preferred a complaint under Section 133 of Cr.P.C. before the Sub-Divisional Magistrate, Jalandhar-I, dated 19.02.2015

CWP No.11801 of 2015

(Annexure P-4), where the proceedings were initiated but the said proceedings have not yet been finalized.

Counsel for the petitioner states that the petitioner, at this stage, would be satisfied if a direction is issued to the Sub-Divisional Magistrate, Jalandhar-I, Jalandhar-respondent No.3 to take appropriate steps in accordance with law on the complaint of the petitioner dated 19.02.2015 (Annexure P-4) at an early date so that the public nuisance which is hazardous for public and the residents of the area i.e. Gopal Nagar, Jalandhar, can be stopped.

In the light of the statement made by the counsel for the petitioner, the present petition is disposed of, without going into merits of the case or commenting thereon, with directions to the Sub-Divisional Magistrate, Jalandhar-I, Jalandhar-respondent No.3 to look into the complaint dated 19.02.2015 (Annexure P-4) made by the petitioner and take appropriate steps in accordance with law. The proceedings be culminated at the earliest and in any case not beyond a period of four months from the date of receipt of certified copy of this order.

July 20, 2015

Harish

**(AUGUSTINE GEORGE MASIH)
JUDGE**