

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

Date of decision:21.07.2015.

Ranjit Singh Sarao

.....Petitioner

v.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Manjit Singh Sarao,Advocate for the petitioner

Jaswant Singh,J.(Oral)

A senior citizen and resident of H.No.1265/1, Mohalla Sukhdass Pura, Near B.Tank,Patiala is aggrieved against the blockage of sewerage by his neighbor-Narinder Pal Singh-respondent no.4 and a resident of H.No.1264, Sukhdass Pura Mohalla,Patiala. He is further aggrieved by the inaction of the officials of the Municipal Corporation, Patiala for removal of such blockage in the light of its obligations under Section 44 of the Punjab Municipal Corporation Act,1976 (for short the 1976 Act). It is further submitted that Commissioner of the Municipal Corporation has sufficient powers under Section 324 of the 1976 Act for removal of such nuisance.

After hearing learned counsel for the petitioner, this Court is of the view that appropriate remedy for the petitioner is to approach the Civil Court. However, keeping in view the limited prayer made at

the end that a direction be issued to the Commissioner, Municipal Corporation, Patiala to look into his representation dated 24.3.2014(P-3) and legal notices dated 20.8.2014(P-4) and 24.4.2015(P-5), and if necessary take appropriate action, this Court is persuaded to issue such directions moreso at the request of a senior citizen.

Accordingly, present writ petition is disposed of with a direction to the Commissioner, Municipal Corporation to look into the grievance of the petitioner as canvassed in his legal notices P-4 and P-5 and representation P-3 within four weeks from the receipt of a certified copy of this order alongwith a copy of the writ petition and take necessary action if so warranted.

21.07.2015.
joshi

(Jaswant Singh)
Judge