

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

Date of decision:25.05.2015.

Jot Parkash

.....Petitioner

v.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.SP Soi, Advocate for the petitioner
Mr.Yatinder Sharma, Addl.AG Punjab
Mr.Munish Joshi, Advocate for respondents 2 and 3.

Jaswant Singh,J.(Oral)

Petitioner is a resident of Ward No.10 of Nagar Panchayat
Mehatpur, Tehsil Nakodar, District Jalandhar.

It is averred that there are total four ponds in the town; one each in Ward Nos. 9 and 10 and two in Ward No.12. Grievance of the petitioner is that the officials of the Nagar Panchayat, Mehatpur are digging a drain in front of houses of certain influential persons and thus diverting the sullage water from Ward No.12 to the pond in Ward no.10 to the complete prejudice of residents of Ward No.10 since in the said Ward the pond is small and always overflowing.

Upon notice, short reply of the Executive Officer, Nagar Panchayat, Mehatpur has been filed on behalf of respondents 2 and 3 in the Court which is taken on record. Copy furnished.

It is apparent from the written statement that no dirty water from the area of Ward No.12 is being diverted to the pond in Ward

no.10 as alleged by the petitioner. In fact, as per site plan, it is averred that there are four houses and an underground sewerage pipe is being laid to connect it with the already existing drain in the area which already falls into pond in Ward No.10. The said recourse has been taken keeping in view the health and safety issues and for drainage of sullage water from that area as per natural flow of water and as such no prejudice is being caused to the present petitioner.

To a pointed query, learned counsel for the contesting respondents, on instructions from the official from the office of Nagar Panchayat, Mehatpur, states that the said houses factually fall in Ward No.10 only and therefore, whole basis of flowing sullage water from Ward No.12 to Ward No.10 does not exist.

After hearing counsel for the parties and in view of the aforesaid facts and pleadings this Court finds that no further interference is called for. It is hoped that Nagar Panchayat, Mehatpur would take necessary steps to arrest overflow of water from all the ponds in town. The petitioner, if still, has any grievance from any factual matrix, would be free to seek his remedy before the Civil Court in accordance with law.

Disposed of as infructuous.

25.05.2015.
joshi

(Jaswant Singh)
Judge