

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

[215-2]

RSA No.3861 of 2011

Date of Decision: 26.11.2015.

Municipal Corporation, Ludhiana

...Appellant

Versus

Khalsa College for Women and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Harsh Aggarwal, Advocate,
for the appellant.

Mr. Sourabh Goel, Advocate,
for the respondents.

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?* **Yes**
2. *To be referred to the Reporters or not?* **Yes**
3. *Whether the judgment should be reported in the Digest?* **Yes**

KULDIP SINGH, J.(ORAL)

The Municipal Corporation has impugned the judgment and decree dated 25.05.2011, passed by learned Additional District Judge, Ludhiana, vide which the suit of the plaintiff was decreed in toto, whereby in addition to the decree for permanent injunction, restraining the defendants-appellants from constructing or using any toilets, urinals, garbage dumps etc. along the outer wall of Khalsa College for Women or in front of outer wall of this college, situated at Rani Jhansi Road, Civil Lines, Ghumar Mandi, Ludhiana, the prayer of plaintiff was also granted to the effect that the defendant-Municipal Corporation was directed to remove the garbage dump/collection centre shown in the site plan and shift the same to some other

suitable place within three months of passing of the judgment and decree.

In short, Khalsa College for Women situated at Rani Jhansi Road, Civil Lines, Ghumar Mandi, Ludhiana through his Principal had filed the suit making the above noted prayers, complaining that the construction of toilets, urinals or garbage dump adjoining the outer wall of the Khalsa College for Women and garbage dump in front of the College is a nuisance and obstructing the working of the College.

After hearing learned counsel for the appellant, I am of the view that Khalsa College for Women, Ludhiana is a prestigious institution, where higher education is imparted to girls. While constructing garbage collection centre or toilets, the Municipal Corporation was supposed to keep in mind that same is not constructed/dumped just outside the wall of the College so as to make it a continuous source of nuisance for the college and become a breeding ground for mosquitos, flies and other insects and affect the health of the girl students of the college and the affect the surrounding environment as well. The Corporation is suppose to implement the 'Swachh Bharat Abhiyaan' (Clean India) launched by the Government of India. No substantial question of law arises.

Hence, the present appeal stands dismissed.

November 26, 2015

Ankur

**(KULDIP SINGH)
JUDGE**