

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 10467 of 2016

Date of Decision: 25.5.2016

Shri Guru Hari Singh Mahavidhyalya Society (Regd.) and others

....Petitioners.

Versus

State of Haryana and others

...Respondents.

1. Whether the Reporters of the local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE RAJ RAHUL GARG.**

PRESENT: Mr. P.S. Jammu, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Article 226 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of Mandamus directing the respondents to declare revenue estate of village Shri Jiwan Nagar, District Sirsa as 'Dry Area' at par with Bhaini Sahib, District Ludhiana (Punjab) which is first religious Headquarter of the Namdhari Sect which has been declared as Holy City by the State of Punjab vide letter dated 3.3.1998 (Annexure P-1) and village Shri Jiwan Nagar, District Sirsa is second religious Headquarter of Namdhari Sect. Further, direction has been sought to the respondents to prohibit liquor vend and sub vend of liquor as well as sale of meat and other tobacco

products within the revenue estate of village Shri Jiwan Nagar, District Sirsa.

2. The majority of residents of village Shri Jiwan Nagar, District Sirsa are followers of Namdhari Sect. Bhaini Sahib, District Ludhiana, Punjab is 1st religious Headquarter whereas Villager Shri Jiwan Nagar is 2nd religious Headquarter of Namdhari Sect. Gurudwara/Dera of Namdhari Sect is situated in village Shri Jiwan Nagar and Guru Mata Dalip Kaur is residing in the village and the followers of Namdhari Sect visited to the village to pay homage at Gurudwara/Dera. In Namdhari Sect consumption of Alcohol, meat and tobacco product is prohibited. Government of Punjab vide letter dated 3.3.1998 (Annexure P-1) had declared Bhaini Sahib, 1st religious headquarter of Namdhari Sect in Ludhiana District along with adjoining villages as 'Holy City'. Petitioner No.1 runs a co-educational graduation college in village Shri Jiwan Nagar and are also running a sports academy to provide coaching to the Hockey players. Petitioner No.1 vide letter dated 28.3.2015 requested respondent No.4 to forbid the allocation of wine shops in Shri Jiwan Nagar and Sant Nagar, Tehsil Rania, District Sirsa. Petitioner No.3 and Gram Panchayat, Shri Jiwan Nagar passed resolutions dated 18.3.2015 and 9.3.2015 (Annexures P-3 and P-4, respectively) for stopping the liquor vends, but to no effect. Petitioner No.4 moved an application under the Right to Information Act, 2005 to know about the status as to whether villagers Shri Jiwan Nagar, Sant Nagar and Damdama have been declared Dry Areas or not and received the information (Annexure P-5) that the said villages have not been declared Dry Areas by the State of Government. Thereafter, the petitioners and other villagers moved representations (Annexures P-6 and P-7, respectively) to the Chief

Minister, Haryana and respondent No.3 to declare villages Jiwan Nagar, Sant Nagar, Damdama, Jagjit Nagar, Partap Nagar, Kirpal Patti, Amritsar, Budhimari and Nakora, District Sirsa as Dry Area and to lift liquor sub vend, but no response has been received. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners along with other villagers have sent representations (Annexures P-6 and P-7, respectively) to the Chief Minister, Haryana and respondent No.3, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to take a decision on the representations (Annexures P-6 and P-7, respectively), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of one month from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

May 25, 2016
gbs

(RAJ RAHUL GARG)
JUDGE