

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.6672 of 2016

Date of Decision: April 08, 2016

Prem Singh

....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Munish Behl, Advocate, for the petitioner.

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1. *Whether Reporters of 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?*

Surya Kant, J. (Oral)

The petitioner seeks a mandamus to direct the Gram Panchayat of his village and the District Administration as well as the Punjab Pollution Control Board to shift the Hadda Rori and Shamshan Ghat (Cremation Ground) outside the abadi of the village.

The petitioner's case is that the Gram Panchayat had earlier passed a resolution on 28.03.1997 allocating land for Hadda Rori and Cremation Ground outside the village. The Cremation Ground was made functional at the new site but again the private-respondents have allegedly started cremating the dead bodies at the old Cremation Ground which is a grave cause of pollution and health hazard for the residents of the village. Similarly, it is alleged that the Hadda Rori is also inside the village and the foul smell emanating from its site is directly responsible for degrading the environment. It is also claimed

that the Gram Panchayat has passed a fresh resolution dated 17.05.2015 (P-11) for shifting the Hadda Rori and Cremation Ground to the new site but the resolution is not being given effect. The petitioner further claims that despite representations and the complaints, no action is being taken by the authorities for shifting the Hadda Rori and Cremation Ground to the new site.

Having heard learned counsel for the petitioner and considering the fact that earmarking of a new site or shifting of Hadda Rori and Cremation Ground are essentially administrative issues to be resolved by the authorities, we dispose of this writ petition with a direction to the Deputy Commissioner, Jalandhar, District Development and Panchayat Officer, Jalandhar as well as the Senior Environmental Engineer of the Punjab Pollution Control Board, Jalandhar to visit the old and new sites and take necessary action after advance notice to the Gram Panchayat and residents of the village. It shall be appreciated if the final decision is taken in the matter within a period of four months from the date of receiving a certified copy of this order.

Dasti.

[SURYA KANT]
JUDGE

April 08, 2016
mohinder

[P.B.BAJANTHRI]
JUDGE