

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.W.P. No. 19811 of 2014 (O&M)
Date of decision: 2.3.2017

Swaran Dass and another

.. Petitioners

v.

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. M.S. Jandiala, Advocate for the petitioners.

Mr. Piyush Bansal, Deputy Advocate General, Punjab.

Mr. V. K. Sandhir, Advocate for respondent No. 7.

...

Rajesh Bindal J.

The petitioners have filed the present petition seeking a direction to the respondents to shift 'Hadda Rodi' in village Hazipur, Post Office Sukhsal, Tehsil Nangal, District Rupnagar, as the same is located close to abadi of the village.

In response, the stand taken by the State as well as the Gram Panchayat is that the area was ear-marked for that purpose during consolidation, which took place in the year 1956. At that time, it was located far away from the abadi, however, now some constructions have been raised, which are close to this place. To take care of the difficulties being faced by the petitioners, the area has now been cordoned off by constructing a boundary wall and a gate has also been put. Annually contract is awarded to remove all dead animals. No work of removal of skin or bones of a dead animal is being carried out at the place from the year 2015 onwards. It is only that a dead animal is kept at that place for few

hours by the villagers before the contractor removes the same after he is intimated. The height of the boundary wall at present is about 5-6 feet, which will be increased to 10 feet on all sides. It shall be ensured that no stray dogs are able to enter the area. Learned counsel for the Gram Panchayat submitted that annually, on an average 3 to 4 animals die in the village. He further submitted that the site, which has been suggested by the petitioners, to shift 'Hadda Rodi' is, in fact, *gair mumkin talab*, which is located close to the abadi of the village.

Considering the aforesaid facts, once the respondents have taken effective steps to ensure that there is no foul smell or pollution in the area; skin and bones of the dead animal is not removed at the place and the area will be cordoned off with a wall of 10 feet height by installing a gate, in our opinion, the problem of the petitioners is resolved. However, still in future, if skin or bones of a dead animal is removed at this place, the petitioners shall be entitled to initiate contempt proceedings against the persons, who are guilty of it.

With the aforesaid observations, the present petition stands disposed of.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

2.3.2017
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No