

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

**CWP-13814-2018 (O&M)**  
**Date of Decision: 29.05.2018**

Gram Panchayat Biddowali & others

--Petitioners

Versus

State of Punjab & others

--Respondents

**CORAM:- HON'BLE MR.JUSTICE AJAY KUMAR MITTAL,**  
**ACTING CHIEF JUSTICE**  
**HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA**

Present:- Mr. B.S. Sidhu, Advocate  
for the petitioners.

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**TEJINDER SINGH DHINDSA.J**

1. The present writ petition has been filed by four Gram Panchayats pertaining to villages falling under Sri Muktsar Sahib district as also private individuals residing in such villages praying for the issuance of a Writ of Mandamus for directing respondents no.1 to 3 to grant to them a full and fair opportunity of hearing while dealing with the objections raised against the setting up of a proposed Bio Medical Waste Treatment Plant at Village Biddowali, Tehsil Giddarbaha, District Sri Muktsar Sahib.

2. We have heard learned counsel representing the petitioners at length and have perused the case paper book.

3. It is the pleaded case of the petitioners that the Punjab Pollution Control Board (respondent no.2) had issued a public notice dated 18.1.2018 (Annexure P-3) inviting objections, suggestions, views, comments within a period of 30 days of the date of publication of the notice from any person including bonafide residents, environmental groups and others, who are likely to be effected on account of the proposed setting up of the Bio Medical Waste Treatment facility by M/s Med Waste Solutions Pvt. Ltd./respondent no.4. That apart, in the public notice it was mentioned that a

public hearing would also be granted on 21.2.2018 at 12 noon at the project site of the facility located in the revenue estate of village Biddowali, Tehsil Giddarbaha, District Sri Muktsar Sahib.

4. We find that objections (Annexure P-10) have already been submitted to the Punjab Pollution Control Board on 4.2.2018 i.e. within the stipulated time frame.

5. Learned counsel confines the scope of the instant petition only as regards the venue of the public hearing to be granted to the local residents including the petitioners. It has been submitted that as per public notice dated 18.1.2018 issued by the Punjab Pollution Control Board the public hearing is to be held at the project site. It is urged before us that the proposed unit is being set up by entrepreneurs, who enjoy close proximity with a prominent political family of the State of Punjab and as such, there is apprehension in the minds of the petitioners that in case the hearing is done at the proposed site, it will be nothing but an eye wash and there is every possibility of the petitioners being brought under pressure and made to sign certain documents consenting to the setting up of the plant.

6. In our considered view the apprehension voiced on behalf of the petitioners cannot be stated to be without substance. An effective and impartial hearing would be more viable, if, it is granted to the petitioners in the premises/office of the Punjab Pollution Control Board itself.

7. In the light of the limited prayer raised by learned counsel, the instant writ petition is disposed of with a direction to respondent no.2 to consider the objections dated 4.2.2018 (Annexure P-10) on merits as also to afford to the petitioners herein and respondent no.4 a hearing at the Head

Office of the Punjab Pollution Control Board at Patiala or at the Regional Office situated at Bathinda. The afore-directed exercise be completed expeditiously and a final order be conveyed to the petitioners.

Disposed of.

**(AJAY KUMAR MITTAL)**  
**ACTING CHIEF JUSTICE**

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

**29.05.2018**

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| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |