

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP no.18055 of 2018 (O&M)

Date of Decision : 24.07.2018

Man Singh and others

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE MAHABIR SINGH SINDHU

Present : Mr.S.S.Jattan, Advocate for the petitioner(s)

MAHESH GROVER, J.(ORAL)

The petitioners who are five in number plead that an open drain which is likely to be constructed would be hazardous to the health of the villagers and thus not conducive.

After hearing learned counsel for the petitioners, we are of the opinion that these are issues regarding which the decision has to be taken by the local administration. The feasibility of having an open drain would also necessarily fall in this category. Although it is always desirous that drains should be covered yet we cannot comment upon the decision of the administration in the absence of any material that may suggest non-application of mind. However, considering the fact that numerous villagers have submitted a representation to the Deputy Commissioner, it would be just and appropriate if we without commenting on the merits of the controversy, leave it to the Deputy Commissioner to consider the representation made by number of persons who perceive the construction of

an open drain as an irritant and hazardous to their health and decide the same by passing a speaking order after hearing them. Therefore, we dispose of the instant petition in above stated terms.

(Mahesh Grover)
Judge

24.07.2018
rekha

(Mahabir Singh Sindhu)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No