

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

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CWP-19847-2017

Date of Decision: 08.03.2018

COL. AVINDER SINGH KAPOOR (RETD.)

...Petitioner.

Versus

STATE OF PUNJAB AND OTHERS

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. S.S. Bhinder, Advocate with
Mr. D.S. Bhinder, Advocate for the petitioner.

Mr. Jagmohan S.Ghuman, Deputy Advocate General,
Punjab.

Mr. Nitin Kaushal, Advocate for respondent No.5.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner, by way of filing present writ petition under Articles 226/227 of the Constitution of India, is seeking issuance of a writ, order or direction in the nature of mandamus, directing respondents No.1 to 5 to curb the menace of noise pollution in the parking area in view of the directions laid down by the Supreme Court.

2. Learned counsel for the petitioner submitted that the petitioner had been making representations (Annexures P-2 to P-8) and reminders to respondents No.1 to 4, particularly, representation (Annexure P-5) submitted to SDM, Kharar, District SAS Nagar. It was submitted that on the aforesaid representation (Annexure P-5), no steps have been taken by the said authority so far. It was urged that a time bound direction be issued to respondent No.3 to decide the same by passing a speaking order, in accordance with law.

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3. Reply by way of affidavit of Amaninder Kaur, PCS, SDM, Kharar, District SAS Nagar, Punjab on behalf of respondents No.1 to 3 has been filed. The same is taken on record, subject to all just exceptions. A copy thereof, has been handed over to the learned counsel opposite. Office to tag the same at appropriate place.

4. After hearing learned counsel for the petitioner, perusing the writ petition and without expressing any opinion on the merits of the controversy, we dispose of the present writ petition with a direction to respondent No.3 to take a decision on representation (Annexure P-5), which was followed by a reminder (Annexure P-6) after affording an opportunity of hearing to the petitioner, by passing a speaking order, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

08.03.2018

SwarnjitS

Whether speaking/reasoned : YES/NO

Whether reportable : YES/NO