

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

**CWP No. 22003 of 2018
Date of decision: 31.8.2018**

Modern Education Society

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

KRISHNA MURARI, CHIEF JUSTICE (Oral)

Petitioner-an Education Society has filed instant Public Interest Litigation, raising a grievance with respect to the malfunctioning of sewerage treatment plant, which is established in front of a school run by the Society in the name and style of Crescent Public School, Fatehabad.

It is contended that because of malfunctioning in the sewerage treatment plant, not only gaseous emission is creating foul smell, but the solid and liquid waste, being discharged from the sewerage treatment plant, is also flowing in the entire area, giving rise to mosquitoes, flies and other health hazardous bacterias posing serious threat to the lives of the residents of the locality.

Learned counsel for the petitioner submits that normally wherever the sewerage treatment plants are established, there is no emission of any gases or foul smell nor the solid or liquid waste flows in the nearby area, but it appears that on account of some malfunctioning in this particular

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sewerage treatment plant or the same not being operated in a proper manner by respondents No.5 and 6, who are responsible for the same, this problem has been created.

From the pleadings, we find that the petitioner has approached respondents No.2 and 3 by making a representation, dated 22.7.2018 (Annexure P-5). It is the Pollution Control Board, which is primarily charged with the responsibility of keeping an eye and also to take appropriate steps. When no action was taken on the representation made by the petitioner, it has been forced to approach this Court. In the circumstances, we dispose of this writ petition by commanding respondents No.2 and 3 to look into the complaint/representation, dated 22.7.2018, made by the petitioner in respect of the malfunctioning of the sewerage treatment plant, and take appropriate corrective steps for its smooth functioning. Respondents No.2 and 3 shall also ensure that malfunctioning/defect, if any, is removed at the earliest. Entire exercise shall be carried out within a period of one month from the date of production of a certified copy of this order.

**(KRISHNA MURARI)
CHIEF JUSTICE**

**(ARUN PALLI)
JUDGE**

August 31, 2018
AK Sharma

Whether speaking / reasoned:
Whether Reportable:

YES
NO