

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

CWP-22886-2018 (O&M)
Date of decision:- 10.09.2018

Amarjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present:- Mr. Balraj Singh Dhull, Advocate,
for the petitioner.

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KRISHNA MURARI, C.J. (ORAL)

Petitioner has approached this Court seeking a writ of mandamus to direct the official respondents to shift the mushroom industry from the residential area as the foul smell emanating from the same is causing lot of inconvenience and is a health hazard to the residents living in the vicinity.

2. From the pleadings, we find that the petitioner had approached this Court earlier with a same grievance by filing CWP-20921-2017 which was disposed of vide order dated 14.09.2017 permitting the petitioner to withdraw the petition with liberty to approach the Punjab Pollution Control Board at the first instance.

3. Learned counsel for the petitioner submits that most of the residents of the villages, namely, Badshahpur Kaleki and Dhanthal made a representation dated 28.09.2017 (Annexure P-3) before the Chairman, Punjab Pollution Control Board, Patiala pursuant to the order passed by this Court, but till date, no decision has been taken thereon and the industry is running in

full swing affecting life of the inhabitants living in the vicinity.

4. The issue is one which requires an investigation into questions of fact for which the Punjab Pollution Control Board is well equipped and, thus, we deem it appropriate to command respondent No. 2 – Chairman, Punjab Pollution Control Board, Patiala to look into the representation dated 28.09.2017 (Annexure P-3) made by the residents of the aforesaid two villages and take appropriate decision by passing a reasoned speaking order after notice and opportunity of hearing to all the stake holders. Needless to mention that a reasoned decision shall be taken by the concerned authority in accordance with law expeditiously preferably within a period of one month from the receipt of certified copy of this order.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

10.09.2018
Amodh

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