

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

233

CWP-28064-2018
Date of Decision: 24.01.2019

Nirmal Singh and anotherPetitioners

Versus

State of Punjab and othersRespondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

Present : Mr. Manoj Bakshi, Advocate for the petitioners.

JASWANT SINGH, J. (ORAL)

Two petitioners, namely Nirmal Singh and Ranjit Singh claiming themselves to be residents of Village Dadwan, Block Dhariwal, Tehsil and District Gurdaspur, are seeking a writ of mandamus for shifting of the “*Hadda Rodi*” situated in the adjoining Village Kalyanpur in view of the hazards it exposes to the residents of the adjoining villages.

Upon notice, Mr. H.S. Grewal, Addl. A.G., Punjab, has put in appearance on behalf of respondents No.1 to 3, 5 and 6-State.

Mr. Sarthak Gupta, Advocate has put in appearance on behalf of respondent No.4-Punjab Pollution Control Board while Mr. Inderjeet Sharma, Advocate has put in appearance on behalf of respondents No.9 to 11.

None has appeared for Gram Panchayat, Dadwan and Gram Panchayat Kalyanpur.

Mr. Karan Choudhary, Advocate has intervened to say that Nirmal Singh, petitioner No.1, who is present in Court has not filed the present petition, whereas there is no such person as Ranjit Singh/

petitioner No.2 who is residing in Village Dadwan. This assertion is supported by the counsel for the State on instructions from ASI Gurbachan Singh.

It also transpires that no reference has been made to any statutory provisions or guidelines mandating the shifting of any existing site of “*Hadda Rodi*” as per the consolidation scheme of the area.

In view of the aforesaid developments, counsel for the petitioners prays for permission to withdraw the petition and, if need be, file a fresh one with complete particulars.

Dismissed as withdrawn with liberty aforesaid.

(JASWANT SINGH)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

24.01.2019
Vinay-I

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