

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

**CWP-PIL-23341-2018
Date of decision: 08.05.2019**

Taranjit Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

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

Present: Mr. Gourave Bhayya Gilhotra, Advocate, for the petitioner.
Mr. Shreesh Gupta, Sr. Deputy Advocate General, Punjab,
for respondents No.1 to 3.
Mr. Parambir singh, Advocate, for respondent No.4.

ARUN PALLI, J. (Oral)

The petitioner, who purports to have approached this Court in public interest, prays for a mandamus commanding the official respondents to remove the garbage dumping bin located alongside the National Highway bridge, situated in the centre of the Phagwara city, which is surrounded by a residential area and religious and commercial buildings.

Pursuant to the notice issued, respondent No.4 i.e. Municipal Corporation, Phagwara, had caused appearance through its counsel. After the matter was heard by this Court on 25.09.2018, a relevant part of the order that was passed reads thus:

“At this stage, Mr. Parambir Singh, learned counsel, under instructions from Mr. Surjit Singh, Assistant Commissioner, Municipal Corporation, Phagwara, who is present in Court, states that a scheme has been chalked out under which the

garbage would now be collected from door to door and dumped at the dumping ground which is situated almost 12 kms out of the town. It has been further stated before us on the basis of the instructions from Mr. Surjit Singh that the scheme would be implemented in full swing within a period of two weeks from today.

In the meanwhile, the garbage dumped within the municipal area which is alongside the bridge of national highway shall also be removed and placed in the dumping yard which is situated 12 kms away from the city.”

We have heard learned counsel for the parties.

The attention of the Court was invited to the averments set out in the short reply filed on behalf of the Municipal Corporation, Phagwara:

“It is relevant to submit here that as it was duly submitted that a scheme was chalked out under which the garbage would now be collected from door to door and dumped at the dumping ground which is situated almost 12 kms out of the town, in furtherance to the said scheme the person collecting the garbage from door to door have been instructed to collect the garbage and the same is to be dumped in the big transportable bins which are duly carried away by the Employees of the Municipal Corporation employed for dumping the garbage in the dumping ground situated almost 12 kms away from the town.

(2) That in compliance to the above order dated 25.09.2018 passed by this Hon’ble Court, the garbage dump which was situated earlier alongside the bridge of national highway has been removed by the Municipal Corporation, Phagwara. Photographs of

the said area after cleaning and lifting of garbage dump are annexed as Annexure R-4/1.

It is relevant to state here further, it has been duly requested to the persons living in the area nearby to the said spot not to throw the garbage at this spot again as the collecting facility of garbage collection is being provided at their door steps and duties have been assigned to the concerned department of the Municipal Corporation to keep a routine check of the spot where earlier the dump was situated, so that it is kept neat and clean.”

A bare analysis of the position sketched out above reveals that a scheme has been formulated pursuant where to the garbage would now be collected from door to door and dumped at the dumping ground which is situated almost 12 kilometers away from the town. Further, in compliance to our order, dated 25.09.2019, the Corporation has also shifted the garbage dump, which was situated alongside National Highway bridge.

In the wake of the above, we are of the considered view that the petition at hands has substantially served its purpose. Thus, we see no good reason to keep this petition on board any further. Accordingly, we close the proceedings in this petition and the same stands disposed of.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

08.05.2019
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES
NO