

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

112

CWP No.10037 of 2020

Date of Decision: 20.07.2020

Vishva Nath Sharma

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Sandeep Singal, Advocate for the petitioner.

GIRISH AGNIHOTRI, J. (Oral)

(1) A writ of mandamus is prayed for directing the respondents to shift the illegal milch farms/milk dairies out of residential area of Yamuna Nagar city in the light of policy dated 05.03.2003, apart from directing the respondents to conduct a detailed survey of the residential areas of the city and identify such illegal dairies/animal mulching farms so as to shift them out at some other convenient place.

(2) Learned counsel for the petitioner, based on pleadings submits that vide policy dated 05.03.2003, the Director Town Development-cum-Chief Administrator Haryana Slum Clearance Board, Chandigarh, provided grant of Rs.1805 lacs to shift the milk dairies outside the city to the Nagar Councils of Ambala, Yamuna Nagar, Karnal and Hisar. Copy of the policy has been appended as Annexure P-1. Learned counsel then submits by making reference to Site plan Annexure P-2, photographs of the area Annexure P-3, application under RTI Annexure P-6, that various

complaints have been filed, which are appended as Annexures P10 to P-13. Out of these complaints, complaint dated 23.02.2020 being the latest one, but till date no decision has been taken.

(3) Notice of motion.

(4) On the asking of Court, Mr. Hitesh Pandit, Addl. A.G, Haryana, accepts notice on behalf of respondents-State.

(5) Without commenting upon the merits of the case, the writ petition is disposed of with a direction to the competent authority i.e. respondents No. 3 and 4 to look into the complaints which have already been filed by the petitioner or which may be handed over to the competent authority by the petitioner, within 2 months from the date of receipt of certified copy of this order.

(6) It is also directed that competent authority may examine the complaints/representations of the petitioner and proceed in accordance with law. It is made clear that in case the complaints deserve merit in accordance with law, as per policy dated 05.03.2003 (Annexure P-1), an appropriate action be taken and a speaking order in this regard be passed. The said decision be taken as expeditiously, as possible, in any case within 4 months from the date of receipt of certified copy of this order.

(7) So ordered.

20.07.2020
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(Girish Agnihotri)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No