

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

**CWP No.18335 of 2020
Date of decision: 18.12.2020**

Amardeep Tiwana and another

... Petitioners

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI**

Present: Mr. Amardeep Tiwana, petitioner-in-person.
Mr. Pankaj Gupta, Addl. AG, Punjab,
for respondents No.1, 3 to 6.

A mandamus is prayed for commanding respondents 4 to 6 to redress the grievance of the petitioners, for they have been sufferers of acute noise pollution owing to loudspeakers and other volume/sound emitting instruments installed at Gurudwara Sahib, Sidhuwal, and to further direct the authorities to enforce the guidelines dated 26.02.2014 (Annexure P-9).

The petitioners are residents of Village Sidhuwal, District Patiala (Punjab) and live in close proximity to the village Gurudwara. The cause of their grievance is that Management Committee of Gurudwara uses/operates the loudspeakers at a very high volume/sound, which causes noise pollution. They had even complained to the respondent-authorities vide representations dated 06.08.2020 (Annexure P-3) and 10.08.2020 (Annexure P-4), but to no avail.

On 03.11.2020, when the matter came up before a coordinate Bench, the Court required the district authorities to convene a meeting of all the stakeholders and ensure that the orders passed by the Supreme Court as also the Division Bench of this Court, referred to in the petition, are

complied with. Accordingly, a status report dated 10.11.2020 has been submitted by the Deputy Commissioner, Patiala, which reveals that Sub Divisional Magistrate had convened a meeting of the concerned parties on 09.11.2020. And upon deliberations, the matter was resolved. Statement of Gurudwara Management Committee and the other respectables of the village (Annexure R-2) was recorded, which reveals that they undertook that henceforth the loudspeakers installed in the Gurudwara shall not be played at a high volume and their sound shall be kept confined to the hall of Gurudwara itself. Further, the public address system/loudspeaker(s) will not be used from 10:00 pm at night to 6:00 am in the morning. Thus, in the wake of the assurance given by the Gurudwara Management Committee, even the petitioners in their statement (Annexure R-1) submitted that they would not wish to pursue the matter further and shall withdraw the petition at hands. Although, in the rejoinder filed by the petitioners, they have indicated certain discrepancies in their statement recorded by the S.D.M., but, in our opinion, that would not cause any decisive difference once the undertaking of the Gurudwara Management Committee has been recorded and grievance of the petitioners is accordingly addressed.

Therefore, for the present no cause of action survives, the petition is accordingly disposed of. However, needless to suggest, in the event of any fresh cause of action in future, the petitioners shall be free to avail the remedies admissible in law.

(Ravi Shanker Jha)
Chief Justice

(Arun Palli)
Judge

18.12.2020

Rajan

Whether speaking / reasoned:
Whether Reportable:

YES
NO