

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

CWP-21056-2020.
Date of Decision:-06.01.2021.

Nazam Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Baljinder Singh Singhvi, Advocate for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

SANJAY KUMAR, J. (Oral)

The petitioner's grievance, as put forth in this writ petition, is that respondent Nos.4 and 5 are pouring dirty/wastage water in a bore-well which is situated at a distance of about 02 feet from his house, thereby weakening its foundations. He claims to have submitted representation in this regard to the Senior Superintendent of Police, District Sri Muktsar Sahib, the second respondent herein, but complains of inaction thereon.

Perusal of the said representation reflects that the issue raised by the petitioner therein was with regard to the 5th respondent not allowing him and his family members to enter into a particular land and the threat to

their lives if they tried to do so. No mention was made therein of any drainage of wastage water by the unofficial respondents posing a threat the safety of the petitioner's house.

Significantly, the petitioner chose to implead only the Home Ministry of the State of Punjab and the Senior Superintendent of Police, District Sri Muktsar Sahib, as the first and second respondents in this writ petition. No local authority has been impleaded in connection with proper drainage facilities not being availed by the unofficial respondents.

The writ petition, as framed, is therefore utterly misconceived and does not merit acceptance. It is for the petitioner to avail the appropriate remedy provided to him in accordance with the due procedure laid down by law, be it under the Code of Criminal Procedure, 1973, or otherwise.

The writ petition is accordingly dismissed leaving it open to the petitioner to do so.

No order as to costs.

(SANJAY KUMAR)
JUDGE

January 06, 2021.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.