

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

ASHOK KUMAR
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CWP-23756-2021 (O&M)

Date of decision: 23.11.2021

AVTAR SINGH AND ORS

..Petitioners

Versus

STATE OF PUNJAB AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Varinder Chhibbar, Advocate for the petitioners.

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The petitioners pray for issuance of a writ in the nature of mandamus to direct the Gram Panchayat of village Badesh Kalan, District Fatehgarh Sahib, to stop shifting of waste/sullage water from a small pond to a bigger pond.

The petitioners claim that the elected office bearers after having passed a resolution for shifting the waste water to a bigger pond to tackle the problem of overflowing, has installed 1 km. pipeline. The petitioners also claim that due to shifting of the water now the bigger pond has also started overflowing.

After having heard learned counsel for the petitioners at some length, this Court is of the considered view that such dispute can only be resolved with the knowledge and experience of an expert in this field. Such matter cannot be decided by a Writ Court merely on the basis of bald

allegations.

On reading of the petition, it is evident that the petitioners have not annexed any opinion of the expert in the field.

Furthermore, for regulating the functioning of the Gram Panchayats of the villages, the legislature has enacted the Punjab Panchayati Raj Act, 1994. As per the provisions of the said Act, the Director as well as the Principal Secretary has the jurisdiction to supervise the functioning of the Gram Panchayat.

Keeping in view the aforesaid facts, the petitioners are relegated to the alternative remedy.

Disposed of.

All the pending miscellaneous application(s), if any, are also disposed of.

23.11.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE