

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 23941 of 2021

Date of Decision: 07.12.2021

Khushvinder Pal

... Petitioner(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Rahul Rampal, Advocate
for the petitioner(s).

Mr. Samarth Sagar, Additional Advocate General,
Haryana, for the respondent No.1.

Mr. Baldev Raj Mahajan, Senior Advocate
with Ms. Baani Chhibber Mahajan, Advocate
for the respondent No.2 and 3.

Anil Kshetarpal, J.

1. The petitioner was running a Dairy Farm within the limits of the Municipal Corporation, Yamuna Nagar. Pursuant to the directions issued in Civil Writ Petition No. 10037 of 2020, the Competent Authority, after granting an opportunity of hearing to the petitioner, has ordered the shifting of the Dairy. In fact, the petitioner undertook, before the Competent Authority, to close down the Dairy Farm and thereafter, he has filed the present writ petition.

2. It is not in dispute that the petitioner did undertake to close down the Dairy Farm within the area of the Municipal Corporation., Yamuna Nagar. Previously, the Municipal Corporation has already made an

alternative arrangement while ordering the shifting of the various other

Dairy Farms. The petitioner continued to operate the Dairy Farm as his area came into the limits of the Municipal Corporation, subsequently.

3. The arrangement has been made in order to maintain hygiene for the residents of the city. The premises has already been sealed. The petitioner has failed to draw the attention of the Court to his entitlement to continue to operate within the limits of the Municipal Corporation, Yamuna Nagar. Hence, no ground to exercise the writ jurisdiction is made out. Consequently, the present writ petition is dismissed.

4. The learned counsel representing the petitioner now contends that he may be granted four months' time to make an alternative arrangement.

5. It has been noticed that this Court has passed the previous order more than a year back. The petitioner has already been granted enough time to make an alternative arrangement.

(Anil Kshetarpal)
Judge

December 07, 2021

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No