

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

129

**CWP-1330-2022
Date of Order: 07.02.2022**

OM PARKASH

..Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Kamlesh, Advocate
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

ANIL KSHETARPAL, J(Oral)

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

Through this writ petition, the petitioner prays for the following substantive reliefs:-

- “i. A writ in the nature of Mandamus for the directing the respondents to construct the borewell for drainage of dirty waters on Panchayat land for the welfare of villagers, in the interest of justice.*
- ii. Further issuance of a writ in the nature of mandamus for directing the respondents to refund the amount spent by the villagers for the aforesaid purposes, in the interest of justice.*
- iii. It is further prayed that respondents may kindly be directed to consider and decide the representation dated 07.01.2022 (**Annexure P-10**) moved by the present petitioner along with other villagers in the interest of justice.”*

The learned counsel representing the petitioner claims that the official respondents have failed to construct a drain to take out the dirty water from the village i.e. for proper sanitation in the village.

She further submits due to the stagnation of dirty water it has started to seep into the underground fresh/drinking water source/aquifer.

Mr. Ayush Sarna, Assistant Advocate General, Punjab, has entered appearance pursuant to supply of an advance copy of the writ petition on behalf of respondent No.1 to 4.

He on instructions from the Panchayat Secretary, Tehsil Chuhriwala, Distt. Fazilka, Punjab, has stated that the option given by the petitioner is not viable and therefore some other alternative is being worked out in lieu of the given option.

There is no dispute that the dirty water is stagnating in the village. Some timely viable solution is required to be worked out.

Hence, the Deputy Commissioner, Fazilka, Punjab, is requested to visit the village along with the officials of the concerned department within a period of 15 days and explore the possibility of a permanent solution to the problem.

With these observations, the present writ petition is disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

February 07, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No