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

CWP-2675-2023

Date of decision : 09.02.2023

Gaurav Dang

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Amrita Garg, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab
for respondent Nos.1 to 5.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Article 226 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of mandamus directing the respondents to take immediate action to prevent dumping of sewage water and garbage by dairy complexes and slum dwellers into the barewal drain abutting the property of the petitioner. Other prayers have also been made in the present Civil Writ Petition.

Learned counsel for the petitioner has submitted that under Section 210 of the Punjab Municipal Corporation Act, 1976, it is the duty of the Municipal Corporation to take steps for effectual drainage of the premises and as per Section 44 of the said Act, they are obligated to make

adequate provisions for constructions, maintenance and cleaning of drains and drainage work and also for removal and disposal of filth, rubbish and other obnoxious or polluted material.

Learned counsel for the petitioner has submitted that in the present Civil Writ Petition, the petitioner has annexed the documents and averments have been made in the same to show that said provisions have been violated and has further submitted that the petitioner would be satisfied in case, the present Civil Writ Petition is disposed of with directions to respondent No.6 to consider the present Civil Writ Petition as a representation and to consider the same, in accordance with law, and take appropriate action thereof.

Keeping in view the abovesaid facts and circumstances and the prayer made by the present petitioner, the present Civil Writ Petition is disposed of with directions to respondent No.6 to consider the present Civil Writ Petition along with annexures as a representation and after considering the same, in case, respondent No.6 comes to the conclusion that some action, in accordance with law, is required to be taken, then, the same be taken in accordance with law after giving due opportunity of hearing to the person, against whom, the action is sought to be taken.

09.02.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**