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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2023:PHHC:140663

CWP-10054-2019 (O&M)

Date of Decision: 03.11.2023

Harsh Kumar

..... Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Gourave Bhayyia Girhotra, Advocate and
Mr. Hitesh Verma, Advocate, for the petitioner.
Mr. Arun William, Assistant Advocate General, Punjab.
Mr. Parambir Singh, Advocate, for respondents No.3 and 4.

Rajesh Bhardwaj, J. (ORAL)

CM-8363-CWP-2019

This is an application for listing the main case for hearing.

Heard.

After hearing learned counsel for the parties and for the reasons mentioned in the application, the same is allowed. The main case is taken on board today itself for hearing.

Main case

Prayer in the present petition is for issuance of direction to the official respondents to implement the direction already issued by this Court in CWP-23341-2018 and further to remove the garbage dumping area location in Ward No.19, adjacent to the wall of primary girls school.

Notices were issued to the respondents and they have filed their status report.

Learned counsel for the petitioner primarily has raised apprehension that the garbage is being collected at the site which is near the locality and the garbage collected is not removed for days together, thus, the residents are facing hygiene problem.

Learned counsel for respondents 3 and 4 has however, refuted the same and has drawn the attention of this Court to the status report filed by way of affidavit of Dr. Nayan Jssal, PCS Commissioner, Municipal Corporation Phagwara. He submits that the place where the garbage was collected, is cleaned twice a day and from there it is shifted to the dumping site, which is about 13 kms away from the city. He has also produced the photographs of the site to substantiate his arguments. He submits that the said site is enclosed from three sides by 8-10 feet walls and Safai Sewaks have been deputed permanently at that point to ensure the garbage is put inside the site regularly. He has submitted that the process of shifting the garbage from this point to dumping site would be maintained as per the submissions made in the status report and all the parameters regarding the hygiene would be maintained.

In view of the submissions made and the reply filed, the present petition is disposed of with a direction to respondent No.4 to shift the garbage as per the submissions made and respondent No.4 would ensure the good hygiene level as per the settled norms. The petitioner would be at liberty to avail his remedy in case the respondents fail to comply with the undertaking given before this Court.

(RAJESH BHARDWAJ)
JUDGE

03.11.2023

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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No