

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

**COCP-2116-2021 (O&M)
Date of decision: 13.02.2023**

Swaran Chand Pantola

...Petitioner

Versus

Sonali Giri, IAS and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. K. S. Saini, Advocate
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner alleges violation of the order dated 23.01.2019, passed by this Court in CWP-1845-2019, vide which, it was observed that for the purpose of disposal of the waste water, the State will acquire land and install a treatment plant so that issue can be resolved permanently and the Deputy Commissioner, Rupnagar was directed to examine the matter as regards initiating any short term measures in the interregnum as he may deem fit upon inspecting the spot in person.

On 10.01.2023, the following order was passed:

“Learned State counsel submits that on 26.04.2022, compliance order is passed, in which it is observed that in October, 2021, adjoining drain was cleaned, which is main cause of overflowing of drain, which carries water in the land of the petitioner, however, there is no alternative land with the Panchayat or Govt. to make any arrangement for drainage of waster water, therefore, there is no short term measures to solve the problem. It is further submitted that it is recommended that by purchasing or acquiring the land, a

solution can be found. It is also submitted that even the Deputy Commissioner, Roopnagar has recommended to the Director, Rural Development and Panchayats, Punjab for creating a pond for disposal of sullage water.

Learned counsel for the petitioner submits that till date, no such action has been taken.

List again on 13.02.2023.

The Deputy Commissioner, Roopnagar will remain present before this Court, in case no substantive compliance is shown on or before the date fixed.”

Today, the affidavit of the Deputy Commissioner, Rupnagar has been filed, wherein it is stated that a meeting was held on 07.02.2023, which was attended by all the concerned officials including revenue Patwaris and Naib Tehsildar informing the collector rate of the village as Rs.13,49,113/- per acre and the land owners, who had come present, were requested to give their land on lease which is prevalent at the time but the land owners refused to give their land on lease even at the double of lease rate prevalent in the area. It is suggested that for the purpose of a permanent solution, in case the petitioner and others are ready to give their land at the collector rate, a proper drainage system can be set up on the expenses of the State.

However, learned counsel for the petitioner has disputed the collector rate as stated in paragraph 6 of the above affidavit.

Be whatsoever, since the Deputy Commissioner, Rupnagar has made a clear offer that in case the land owners give their land at collector rate, to be paid by the State, a permanent solution can be made, which is not accepted by learned counsel for the petitioner, no willful disobedience is made out against the respondents.

Accordingly, the present petition is disposed of.

Rule stands discharged.

The petitioner is granted liberty to avail his alternative remedy,
in accordance with law, if so advised.

13.02.2023

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No