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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.22896 of 2017  
Date of decision : 29.11.2023

Mohammad Aslam and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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Present:- Mr. Vikram Singh, Advocate  
for the petitioners.

Mr. Arun William, AAG, Punjab.

Mr. G. S. Attariwala, Senior Advocate with  
Mr. Saurabh Singla, Advocate  
for respondent No.3.

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**RAJESH BHARDWAJ, J. (Oral)**

Present writ petition has been filed for directing the respondents to establish the premises for Dairy Farming/Milk Dairies outside the Municipal Limit Malerkotla and to allot the plots for the milk dairies outside the Municipal Limits and till then the petitioners be allowed to run their dairies on the present place within Municipal Limits as they are running the Dairies prior to existence of Municipal Committee and further directing the respondents to decide representation dated 16.09.2017 submitted by the petitioners (Annexure P-3).

Learned counsel for respondent No.3 has submitted that the petitioners are running a dairy farm in violation of provisions of Punjab

Municipal Act, 1911 (for short ‘the Act’) and the dirt is being thrown in the sewerage lines. He submits that instead of availing remedy under the Act, the petitioners have approached this Court by way of filing the present petition which is not even maintainable.

Reply has already been filed.

After hearing both the sides, the present petition is disposed of with liberty to the petitioners to avail their remedy against the impugned notices as available to them under the Act. If the petitioners avail their remedy as per the statutory provisions, the authority concerned would take action in accordance with law.

(RAJESH BHARDWAJ)  
JUDGE

29.11.2023  
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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |