

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

**CWP-9967-2016**

**Date of decision : 22.08.2023**

**Diocese of Jullundar**

**.....Petitioner**

**versus**

**State of Punjab and others**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

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Present :- Mr. Gaurav Chopra, Senior Advocate with  
Mr. Anurag Chopra, Advocate  
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

Mr. Ashwani Prashar, Advocate  
for respondent No.2.

Mr. Adhiraj Toor, Advocate for  
Mr. J.S. Toor, Advocate  
for respondent No.3.

Ms. Prabhjot Kaur, Advocate  
for respondents No.5 to 16.

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

Petitioner has approached this Court for declaring the action of respondent No.3 of developing and constructing a cremation ground at the Bye Pass, Ranjit Avenue, Amritsar adjoining a residential area, without complying with the mandate of Section 107 of the Punjab Municipal Act, 1911 and Sections 24 and 43 of the Punjab Town Improvement Act, 1922, being illegal, unlawful and legally unsustainable.

Learned counsel for respondent No.3, at the outset, submits that the petitioners has approached this Court with the grievance that the Trust is constructing a cremation ground on bye-pass in violation of mandate of Section 107 of the Punjab Municipal Act, 1911 and Sections

24 and 43 of the Punjab Town Improvement Act, 1922. He further submits that as per the decision taken by Improvement Trust, no cremation ground would be constructed at the site.

Learned counsel for respondent No.3 has placed on record Resolution dated 22.08.2023 passed by Improvement Trust, Amritsar which read as under:-

*“In reference to your letter dated 24.07.2023 regarding the subject matter in CWP-9967-2016. It is informed that Town Planner of Improvement Trust Amritsar has reported that Trust has superseded the Resolution No.263 dated 30.12.2015 by Resolution No.50 dated 22.10.2020. Now instead of constructing cremation ground Trust has decided to construct the multi-stories flats on the same place, but Air Force Department has not given NOC to the Improvement Trust Amritsar for multi-stories flats even. So it is clarified that no cremation ground is to be constructed.”*

In view of the above, it is apparent that the cremation ground against which the petitioner had raised the grievance, is not being constructed by respondent No.3 as decided by them earlier. Resultantly, this petition is disposed of as infructuous.

22.08.2023  
m. sharma

( RAJESH BHARDWAJ )  
JUDGE

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