

CWP-27117-2023

Date of Decision: 04.12.2023

Rashpal Singh

..... Petitioner

Versus

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Gobind Singh Randhawa, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for issuance of direction to the official respondents to take coercive measures or legal action against the persons who are throwing the animal carcasses near the house of the petitioner despite of restraining/prohibition order and further issuing the direction to respondents No.4 and 5 to follow the guidelines for disposal of animal carcasses passed by respondent No.3 vide order dated 30.08.2022 (Annexure P-5). Further prayer is made to direct respondents No.3 to 5 to shift the animal carcasses in the other land of village Gram Panchayat Ballawal as per the provision of Section 35 (G) of Punjab Panchayati Raj Act, 1994 and to take legal action against respondents No.4 and 5 who have been disobeying the order and guidelines dated 30.08.2022 as enumerated above as (Annexure P-5). Further official respondents be directed to pass a speaking order on the representation dated 08.04.2023 and 24.07.2023 (Annexure P-6 and P-7) submitted by the petitioner.

Learned counsel for the petitioner has submitted that this Court earlier vide order dated 28.04.2022 in CWP-8757-2022 directed the Deputy Commissioner to look into the grievances raised by the petitioner. He submits that thereafter, the Deputy Commissioner issued certain directions to take care

of the menace of the dogs causing at the place mentioned in the petition due to the carcasses being thrown by the villagers. He submits that despite issuance of directions, menace of dogs is increasing day by day as the directions issued by the Deputy Commissioner are totally being flouted. He also submits that the petitioner has filed a representation dated 08.04.2023 (Annexure P-6) before respondent No.4, but no action has been taken on the same till date.

Notice of motion.

Ms. Akshita Chauhan, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

After hearing learned counsel for the parties, the present petition is disposed of with a direction to respondent No.4 to decide the representation dated 08.04.2023 (Annexure P-6) filed by the petitioner in accordance with law within a period of four weeks from today. Further direction is also issued to respondent No.3-Deputy Commissioner, Gurdaspur to take into account the grievance of the petitioner in the petition and to ensure the compliance of the directions already issued by him in letter and spirit.

(RAJESH BHARDWAJ)

JUDGE

04.12.2023

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