

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CWP-PIL-127-2023

Date of decision: 20.12.2023

Talab Mandir Road Shopkeepers Association (Regd.) Petitioner

Versus

State of Punjab and Others Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE NIDHI GUPTA**

PRESENT: Mr. Sukhwinder Singh Kamboj, Advocate for the petitioner.

Ms. Anu Pal, Sr. DAG, Punjab.

NIDHI GUPTA, J.

1. Prayer in this Civil Writ Petition filed under Articles 226/227 of the Constitution of India is for issuance of an appropriate writ or direction, in the nature of Mandamus, directing respondents No. 1 to 3 to repair/rebuild the public toilet situated at Talab Mandir Road Market, Ludhiana; with a further prayer for issuance of directions to the respondents to construct the public toilets for women and disabled persons at the Market. It has also been prayed that respondent No. 4 may be directed to repair the poles of transformer which have fallen on the old public toilet or shift the transformer at other suitable place.

2. Learned counsel for the petitioner submits that though a representation dated 21.06.2023 (Annexure P-7) has been made to the concerned authorities, however, no action thereupon has been taken by them, so far. It is submitted that earlier also, the petitioner had filed a writ petition bearing CWP-PIL-62-2023, titled as 'Talab Mandir Road Shopkeepers Association (Regd.) vs. State of Punjab and others', which was disposed of vide order dated 31.07.2023 (Annexure P-9), with a

direction to the respondent-Authorities to consider and decide the said representation (Annexure P-7), in accordance with law and necessary steps pursuant thereto, shall also be taken, as expeditiously as possible. However, no action has been taken by the respondent-Authorities, till date. Learned counsel for the petitioner submits that at this stage, he would be satisfied if the present writ petition is disposed of, with a direction to the respondent-Authorities to consider and take a final decision on the representation dated 21.06.2023 (Annexure P-7) made by the petitioner, in a time bound manner and to take appropriate action upon the same, in accordance with law.

3. Notice of motion.

4. On the asking of Court, Ms. Anu Pal, Senior DAG, Punjab accepts notice on behalf of respondents No. 1 to 3.

5. In view of the above and without expressing any opinion on the merits of this case, the writ petition is being **disposed of** with a direction to respondents No. 2 to 4 to consider and decide the aforesaid representation dated 21.06.2023 (Annexure P-7) by passing a speaking order in accordance with law, within a period of 04 weeks from the date of receipt of certified copy of this order; and also to take all necessary action thereupon within a period of 08 weeks thereafter; and a report in this regard be submitted to this Court.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(NIDHI GUPTA)
JUDGE

20.12.2023
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Whether speaking/reasoned Yes/No

Whether Reportable Yes/No