

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

2024:PHHC:118998-DB



(219)

CWP-PIL-21-2021 (O&M)
Date of Decision: 10.09.2024

Upkar Singh

--Petitioner

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE SHEEL NAGU CHIEF JUSTICE.
HON'BLE MR. JUSTICE ANIL KSHETARPAL.

Present:- None for the petitioner.

Mr. Salil Sabhlok, Sr. DAG, Punjab.

Mr. Birinder Pal Sharma, Advocate for
respondent no.11.

SHEEL NAGU, CHIEF JUSTICE(Oral)

The present Public Interest Litigation petition has been filed raising a public cause that the trees standing on the side of the roads in the area of District Patiala particularly in the city of Rajpura have been choked by concretization around their trunks. Appropriate directions have been sought in the following manner:-

“a. directing the respondent no. 6 to 11 to take immediate stern actions for de-choking and de-concretization of trees and plants in the area of District Patiala particularly in the city of Rajpura and the surrounding areas in an effective and time-bound manner, as such chocking and concretization is causing substantial damage to trees leading to slow death of

the trees which has grave consequences to the environment, in the interest of justice.

b. directing the respondents to strictly implement in the State of Punjab, the Urban Greening Guidelines, 2014, issued by the then Town and Country Planning Organisation, Government of India, Ministry of Urban Development, while undertaking concretization of pavements, in the interest of Justice.

c. directing the respondents to take strict action against the private business owners who have choked the tree or have voluntarily concretized the roots of the trees or are pouring some harmful chemicals in the roots of the trees, leading to the slow death of the trees, in the interest of Justice.

d. directing the respondents to appoint a Tree Officer/ Specialized Officer to look after the health of trees and for maintaining and protecting the urban trees.

e. For issuance of any other writ, order or direction that this Hon'ble Court may deem just and appropriate in the facts and circumstances of the present case.”

2. Respondent no.11 i.e. Municipal Council, Rajpura and the State of Punjab have filed their replies, which are accompanied by certain photographs which indicate that the paved area of footpaths has been deconcretized, giving the trees space and opportunity to expand and grow.

3. The aforesaid replies are taken on record and are treated as compliance made by the respective authorities.

4. No replication to the said replies has been filed by the petitioner and therefore, it appears that for the time being the public cause, as shown in the petition, stands redressed.

5. This Court, for the time being, disposes of the present petition with liberty to the petitioner to revisit the Court in case any grievance still

remains unaddressed.

4. All the pending application(s) also stand disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

10.09.2024
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No