



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

CWP-2852-2023 (O&M)

Date of decision: 03.09.2024

Jaswinder Singh and others

...Petitioners

Versus

State of Haryana and others

..Respondents

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

Present:- Mr. Abhay Gupta, Advocate for the petitioners
(through VC)

Mr. Deepak Balyan, Addl. AG, Haryana

Mr. Ankur Mittal, Addl. AG, Haryana

Mr. Deepak Balyan, Advocate for MC- Kalka

Mr. Ankur Mittal, Advocate with

Ms. Kushaldeep Kaur, Advocate

Mr. Siddhanath Arora, Advocate

Ms. Saanvi Singla, Advocate

for respondent-M.C Panchkula

ANIL KSHETARPAL, JUDGE

1. Prayer in this writ petition is to restrain the respondents from violating the Right to life of the petitioners and villagers of Village Rampur Seuri, by creating environmental pollution and thereby destroying the ecological balance of eco-sensitive village Rampur by dumping and burning the solid waste at an illegally created landfill, without any prior environmental clearance from the Pollution Control Board and also in violation of the Solid Waste Management Rules, 2016. In substance, the petitioners claim that in village Rampur Seuri, an illegal landfill has been created in the boundary wall of Kaushalya Dam, where Sant Kabir Mandir is located. The famous Pinjore Garden is hardly 2 kms away from the landfill.



2. Respondent no.2-Haryana State Pollution Control Board has filed a reply deposing that pursuant to the show cause notice, Municipal Council, Kalka has processed 70% waste dumped at the site and the remaining waste will be processed shortly.

3. During the course of hearing, Commissioner and Secretary, Urban Local Bodies Department, Haryana filed an affidavit in the connected writ petition ie. **CWP-7540-2022** titled as '**Kamdhenu Gaushala Seva Sadan vs. State of Haryana and others**', disclosing that on account of shortage of appropriate place, the waste generated in the area of Kalka, Pinjore and Panchkula is being transported to Solid Waste Management Centre at Patvi, Ambala. Some waste is being processed at Yamunanagar also. It has also been disclosed that efforts are being made to clear the landfill.

4. Keeping in view the aforesaid position, the writ petition is disposed of, while directing the respondents to remove the remaining garbage lying at the site in an expeditious manner. It would be noted here that in this connection OA No. 4 of 2022 titled as '**Sanjay Kumar vs. Union of India and others**', is also stated to be pending before the National Green Tribunal, in which 'action taken report' has been submitted. The petitioner, if so advised, may file an application to intervene in the aforesaid matter.

5. Accordingly, the writ petition stands disposed of.

(ANIL KSHETARPAL)
JUDGE

03.09.2024

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(SHEEL NAGU)
CHIEF JUSTICE