

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CWP-24712-2017 (O&M)
Date of decision: 14.02.2024

Balram Kumar Balli and another
...Petitioners

VERSUS

State of Punjab and others
...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. H.C. Arora, Advocate with
Ms. Jasleen Kaur, Advocate for the petitioners.

Ms. Arundhati Kulshreshtha, AAG Punjab.

Mr. Divij Datt, Advocate for respondent No.4.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for issuance of directions to the respondents to pay compensation to petitioner No.1 on account of death of his son and petitioner No.2 on account of death of her husband, due to dengue alleging that the above said spread was on account of failure on the part of the respondent-Municipal Council to discharge its statutory obligations under the Punjab Municipal Act, 1911.
2. Reply on behalf of respondents No. 3 and 4-Municipal Council has been filed wherein a preliminary objection has been raised that disputed questions of facts would arise for determination in the present writ petition not only in relation to the cause of death but also on the negligence and the

quantum of compensation which cannot be gone into by this Court at this stage.

3. The present writ petition is accordingly **disposed of** at this stage with liberty to the petitioners to pursue their appropriate proceedings for seeking compensation before a Civil Court, if so advised. In the event of the petitioners approaching the competent Civil Court, the period during which the present petition has remained pending before this Court shall be taken into consideration while computing the limitation.

4. All other misc. applications, if any, stands disposed of.

(VINOD S. BHARDWAJ)
JUDGE

14.02.2024

Mangal Singh

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