

THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.6001 of 2017
Date of Decision: 01.02.2024

Doublejeet Singh
..... Petitioner

Versus

State of Punjab and others
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Abhinav Jain, Advocate
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

Mr. Aman Sharma, Advocate
for respondents No.4 to 6.

RAJESH BHARDWAJ, J.

Present writ petition has been filed for directing respondents No.2 to 6 to remove the solid waste and to clear the area nearby D.I.E.T. which is dangerous to life of the residents of surrounding areas and the persons going to the Institute, Ashram and Palace situated near the dump yard.

This Court had issued notice to the respondents and in response to the same, the respondents have filed their respective replies.

Learned counsel for the petitioner has reiterated the grounds taken in the petition and has submitted that the respondents authorities have not taken any action for reversal of the dump yard.

However, learned counsel for respondents No.4 to 6 has vehemently opposed the same and has drawn the attention of this Court to the reply filed wherein it has been submitted that the office of respondent No.6 had made 16 secondary points where the waste materials of the localities are collected and the same are further sent to the Dumping Yard situated at Kotkapura road, which is at a distance of 6 Kms from Faridkot City. He has further invited the attention of this Court to the reply filed wherein it is mentioned that respondent No.6 has completed the up-gradation/renovation by installing iron screen, tin shed as well as overall cleaning of the secondary points. He has submitted that the secondary point in question was constructed 15 to 20 years ago and is situated at a distance of 52.5 metres from the gate of DIET and at a distance of 46.3 metres from the gate of Aashram. He submits that as per the points made, the proper maintenance i.e. the hygiene standard in the locality is being properly and regularly monitored and the remedial actions in accordance with law are being taken. He has submitted that respondent No.6 would continue to maintain the hygiene level and follow necessary protocol for the redressal of the grievances of the petitioner and other residents.

Learned counsel for the petitioner however has submitted that respondent No.6 should be directed to shift dumping yard from the existing place which is near to the DIET.

Learned counsel for respondents No.4 to 6 has submitted that the necessary cleaning process is being done on the regular basis. However, respondent No.6 would consider the suggestion made by

learned counsel for the petitioner and the same would also be dealt with in accordance with law.

On hearing learned counsel for the parties, the present petition is disposed of in view of the submissions made by learned counsel for respondents No.4 to 6 as enumerated in the reply filed. Respondent No.6 i.e. the Executive Officer, Municipal Council, Faridkot would continue to discharge his duties in accordance with law so as to ensure the hygiene level is maintained through out. However, the petitioner would be at liberty to pursue his remedies in accordance with law in case any further cause of action accrues to him.

(RAJESH BHARDWAJ)
JUDGE

01.02.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No