



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.20860 of 2024 (O&M)
Date of Decision :28.08.2024

Maan Singh

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI
HON'BLE MR.JUSTICE VIKRAM AGGARWAL

Present : Mr. Subhash Kumar, Advocate for the petitioner.

Mr. Vipin Pal Yadav, Addl.A.G. Punjab.

ARUN PALLI, J. (Oral):

Petitioner (Maan Singh) is a resident of House No.BX 1680/76, Prem Nagar, Lamba Pind, Chogitti, Jalandhar.

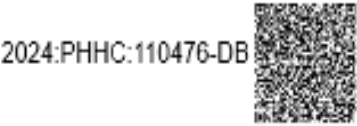
Learned counsel for the petitioner submits that even earlier the petitioner along with others had invoked the jurisdiction of this Court in public interest vide CWP No.8628 of 2011, for certain factories/industries had unauthorizedly been set up in the residential area of Prem Nagar in Jalandhar City. However, he submits that the said petition was disposed of by the Co-ordinate Bench on 09.01.2012, vide which the respondents-authority were directed to deal with the matter and intimate the petitioner as to whether, the area, where the factories/industries were alleged to have been unauthorizedly set up, was a residential or commercial in nature. Further, he submits that in compliance to the said order, the District Urban Planner, Jalandhar, vide communication dated 03.02.2012, had informed the petitioner that as per the masterplan dated 23.08.2010, establishment of new factories was not



permissible, though the industries that were established prior to the issuance of the notification of masterplan may continue to operate within the existing premises. Whereafter, he submits that the petitioner had served the respondents-authority, with a legal notice dated 28.02.2024, upon which, the District Town Planner (respondent No.8), vide letter/communication dated 12.03.2024 (P6), had required the Commissioner, Municipal Corporation, Jalandhar, to initiate appropriate action to remove the unauthorized industries. It is urged that the petitioner had even submitted a representation dated 11.01.2024 (P4) to respondent No.3, as regards the newly established factories for causing pollution and violating the municipal laws/rules. However, he asserts that even though a considerable time has elapsed, but the matter has not made any tangible progress. Thus this petition.

Served with the advance copy of the petition, Mr. Vipin Pal Yadav, Addl.A.G. Punjab, is present in Court on behalf of respondents No.1 to 7. At the outset, on instructions, he submits, for the competent authority (respondent No.3) is already in seizin of the matter, it would be expedient, if the petition is disposed of, at this stage, to enable to authority to deal with the concerns/grievances of the petitioner as sought to be raised in the petition. And, pass necessary orders, in accordance with law. However, he further submits that before any such orders are passed, the petitioner as also the other stake holders including the private respondents would be heard for which a separate notice, indicating the date, time and venue, shall be issued, well in advance.

That being so, learned counsel for the petitioner submits that let the petition be disposed of, for the present, in terms of statement made by learned Additional Advocate General, Punjab. However, he submits that the



matter being time sensitive, it would be expedient, if the authority be directed to take necessary measures within a specified time.

To which, learned State counsel submits that the competent authority shall take cognizance of the matter at the earliest and after complying with all the requisite formalities and hearing the petitioner as also the other stakeholders including the private respondents would proceed with the matter. And pass necessary orders as expeditiously as possible.

In the wake of the position sketched out above and also in terms of the statements made by learned counsel for the parties, the petition is accordingly disposed of.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

28.08.2024
Manoj Bhutani

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