



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

**CWP No.34622 of 2024 (O&M)
Date of Decision :19.12.2024**

Sarabjit Singh and others

.....Petitioners

Versus

State of Punjab and others

..... Respondents

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

**Present : Ms. Mehak Bedi, Advocate for
Mr. Vivek K. Thakur, Advocate for the petitioners.**

Mr. Jastej Singh, DAG, Punjab.

ARUN PALLI, J. (Oral):

The petitioners have prayed for the following substantive relief:-

“CIVIL WRIT PETITION under Article 226 of the Constitution of India for the issuance of a Writ, Order or direction especially a writ in the nature of mandamus directing the Respondents No. 1 to 6 to take appropriate action against respondent no. 7 for establishing a factory in the residential area surrounded by around 50 pucca houses against the statutory provisions of law and further necessary directions be issued to the official responders to restrain the respondent no. 7 from establishing/operating the factory in the residential area of the village as the same violates the fundamental right of life granted under Article 21 of the Indian Constitution;

Further direction may be issued to official residents to not to issue No Objection Certificate (NOC)/ Consent to operate to Respondent No. 7 for establishing/operating the factory in the residential area of the village”



Learned counsel for the petitioners submits that prior to the institution of this petition the petitioner had even repeatedly represented to the respondents-authority vide representations dated 16.09.2024 and 30.09.2024, but to no avail.

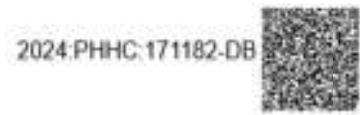
Served with the advance copy of the petition, Mr. Jastej Singh, DAG, Punjab, is present in Court for the respondents-State. At the outset, he submits that as the competent authority is already in seisin of the concerns/grievances of the petitioners, it would rather be expedient if this petition is disposed of, at this stage, to enable the respondent authorities to consider and pass necessary orders on their representation (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the petitioners as also all other stakeholders shall be heard. And a formal communication in this regard would be issued well in advance.

Learned counsel for the petitioners is in agreement with the course suggested by learned State counsel and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to do the needful within a specified time.

In response, learned State counsel submits that appropriate orders shall be passed within three months from today.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by learned State counsel.



Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

19.12.2024
Manoj Bhutani

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