

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

2025:PHHC:036058-DB



(213)

**CWP-PIL-10-2024 (O&M)
Decided on :17.03.2025**

Riyaju Deen and others

.....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE SHEEL NAGU,CHIEF JUSTICE
HON'BLE MR.JUSTICE SUMEET GOEL**

Present: Mr. Jugam Arora, Advocate for the petitioner (s).

Mr. Deepak Balyan, Addl. AG, Haryana.

Sheel Nagu,Chief Justice (Oral)

1. The present public interest litigation has been filed by public spirited persons, who are residents of Village Bhapura, District Panipat and belong to the Muslim community and are aggrieved by the fact that grave-yard reserved for the Muslim community, is situated about 1½ KM to 2 KMs away from the area where members of the said community predominantly reside.

2. Learned counsel for the petitioners is unable to point out any provision (statutory or otherwise) which mandates the burial ground to be situated in close proximity to the place of residents of the persons who use the grave-yard.

3. The petitioners have already made a representation to respondent No.3-Secretary, Municipal Committee, Samalkha and also to the Deputy Commissioner, Panipat, but to no avail.

4. This Court in the given facts and circumstances would not like to enter into merits of the case, but instead allow the respondents to consider the claim before embarking upon the process of jurisdiction.

Accordingly, the present PIL is disposed of without entering into merits of the matter, with the direction to the petitioners to file a fresh representation alongwith representation (Annexure P-6) before respondent Nos.2 & 3, which if done within 30 days from today alongwith copy of this order, the same shall be decided on merits by passing a speaking order within further a period of 60 days and without being influenced by the fact that the petitioners have approached this Court.

5. No cost.

6. Pending miscellaneous application, if any, stands disposed of accordingly.

(SHEEL NAGU)
CHIEF JUSTICE

March 17, 2025
Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No