



CWP-14375-2025

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

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CWP-14375-2025 (O&M)

Date of decision: 19.05.2025

Chamkaur Singh and others

....Petitioners

V/s

State of Punjab and others

....Respondents

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

Present: Mr. V.G. Jauhar, Advocate for the petitioners.

SUMEET GOEL, JUDGE

1. The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus, with the following substantive prayer:

“Hence it is respectfully prayed that this Hon'ble Court may kindly be pleased to issue writ of mandamus directing the respondents removal of illegal encroachment upon the High School Land and not to construct/ allow establishment of Waste Segregation shed for the purpose of processing wet and dry waste on the private land that is currently in the use of High Senior Secondary School, Village Kohrian, Tehsil Sunam, District Sangrur, Punjab and immediately stop all construction activity on the said land in the interest of justice, equity and fair play, which is in violation of The Environment Protection Act (1986), The Solid Waste Management Rules (2016), Punjab State Solid Waste Management Policy 2018 and Punjab Panchayati Raj Act (1994).

AND

Further prayer is being made before this Hon'ble Court to issue a writ of mandamus directing the respondents to consider and use alternative Gram Panchayat land for the construction of Waste Segregation Shed, in accordance with law for the benefit of the common masses in the interest of justice.”

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2. Learned counsel for the petitioners limits his prayer and submits that the petitioners would be satisfied, for the *nonce*, if a direction is issued to respondent No.3 to consider and take a conscious decision on the representation (Annexure P-16) made by the petitioners in a time bound manner.

3. Notice of motion.

4. On the strength of the advance notice, Mr. Salil Sabhlok, Senior DAG Punjab, accepts notice on behalf of the official respondents. He submits he has no objection in case the limited prayer made by the learned counsel for the petitioners, at this stage, is accepted.

5. We have heard learned counsel for the rival parties and have perused the paper-book with their assistance.

6. Keeping in view the entirety of facts and circumstances of the case & without going into merits thereof, the instant petition is disposed of with a direction to the Deputy Commissioner, Sangrur (respondent No.3 herein) to look into the representation (Annexure P-16) moved by the petitioners; objectively consider the grievance(s) raised in the said representation & take ratiocinated decision thereupon after affording opportunity of hearing to petitioners, in accordance with law, within a period of two weeks from today. Such decision be communicated to the petitioners within fifteen days of it being taken. Keeping in view the peculiar factual milieu of the case in hand; it is directed that Deputy Commissioner, Sangrur shall ensure that the construction activity etc. at the spot in question be not carried out till such decision by the Deputy Commissioner, Sangrur & communication thereof to the petitioners.



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7. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

(SHEEL NAGU)
CHIEF JUSTICE

May 19, 2025
Ajay

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