



CM-6879-CWP-2026; CM-6880-CWP-2026
IN/AND CWP-36417-2025

1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CM-6879-CWP-2026;
CM-6880-CWP-2026 IN/AND
CWP-36417-2025
Date of decision: 04.05.2026

SUMER SINGH AND OTHERS

....PETITIONERS

Versus

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Ajay Sharma, Advocate for the petitioners
(through Video Conferencing).

Mr. Neeraj Gupta, Addl. A.G. Haryana.

SHEEL NAGU, C.J. (Oral)

CM-6879-CWP-2026

1. The instant application under Order 41 Rule 19 read with Section 151 of CPC has been filed for restoration of the main case i.e. CWP-36417-2025.

2. For the reasons mentioned in the application, the same is allowed. CWP-36417-2025 is restored to its original number and is taken on Board today itself for hearing.

MAIN CASE

CM-6880-CWP-2026

1. The instant application under Section 151 of CPC has been filed for placing on record the order dated 23.07.2022 passed by learned Assistant Deputy Commissioner of Police and Executive Magistrate, Panchkula.

2. For the reasons mentioned in the application, the same is allowed subject to just exceptions and order dated 23.07.2022 is ordered to be taken on record.

CWP-36417-2025

1. The petitioners have filed this petition under Article 226 and 227 of the Constitution of India seeking a direction for closure or shifting of

CM-6879-CWP-2026; CM-6880-CWP-2026
IN/AND CWP-36417-2025

2

the pot kilns, which, according to the petitioners, are situated within the abadi/residential area of Village Meerapur Bakshiwala.

2. This Court, by order dated 21.01.2026, asked the petitioners to file the *zimni* orders in regard to the proceedings which were initiated under Section 133 of Cr.P.C. qua the same issue. The petitioners have filed CM-6880-CWP-2026, accompanied by an order dated 23.07.2022, which finally draws the curtain over the proceedings under Section 133 Cr.P.C. by holding that no nuisance, as alleged by one of the petitioners, i.e. petitioner No.5, exists anymore.

3. The petitioners, instead of challenging the said order dated 23.07.2022 by way of a criminal revision before the Jurisdictional Sessions Judge, have approached this Court by filing the instant petition.

4. Since the issue also relates to the field of Environment, the petitioners also have a remedy to approach the NGT.

5. In view of the above, this Court declines interference on merits and relegates the petitioners to avail any of the aforesaid remedies in accordance with law.

6. Disposed of.

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

(SHEEL NAGU)
CHIEF JUSTICE

04.05.2026
kanika

(SANJIV BERRY)
JUDGE

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |