

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****251****CR-2726-2024 (O&M)****Date of Decision : 28.02.2025**

Umesh Garg

....Petitioner

VERSUS

Municipal Corporation, Ambala City and Others

....Respondents

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. Shantanu Bansal, Advocate for the petitioner.

Mr. Prateek Mahajan, Advocate for the respondents.

**ALKA SARIN, J. (Oral)**

1. Present revision petition has been filed by the petitioner challenging order dated 08.04.2024 whereby application filed by the petitioner under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 was dismissed.

2. During the course of arguments, it transpired that the site at which the solid waste was being dumped was not a site qua which any order was passed in writing by the authorities. An affidavit was filed by the Commissioner, Municipal Corporation, Ambala wherein he candidly admitted that the site was designated verbally keeping in view the location in Village Kakru being outside the Abadi and there was no written order passed to this effect nor the identity of the site was mentioned in the agreement dated 06.06.2024 which was entered into between the Municipal Corporation, Ambala and M/s Pooja Consultation Co., Sonapat.

3. Learned counsel appearing on behalf of the respondents today, on instructions from Sh. Deepak Sura, Additional Municipal Commissioner, Ambala who is present in Court, states that the site in question has permanently been closed and will not be used for any solid waste disposal purpose whatsoever including dumping, processing or collection and other co-related activities. It is further the stand taken that barring a few remains, rest of the site has since been cleared of all the legacy waste and whatever remains will be cleared within 15 days from today. Sh. Deepak Sura, Additional Municipal Commissioner further states that in future no site would be designated as a waste collection point on oral orders and that no site would be used as such unless a specific order has been passed under the relevant provisions of Haryana Municipal Corporation Act, 1994 and that they would comply with all the rules and regulations of the Solid Waste Management Rules, 2016.

4. In view of the above, no further orders need to be passed in the present revision petition. However, the respondents shall remain bound by the statements made by Sh. Deepak Sura, Additional Municipal Corporation, Ambala and the counsel for the respondents.

5. Present revision petition is disposed off in the above terms. Pending applications, if any, also stand disposed off.

28.02.2025  
jk

( ALKA SARIN )  
JUDGE

NOTE: Whether speaking/non-speaking: Speaking  
Whether reportable: YES/NO