

2025:PHHC:116733



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

CWP-25338-2025

Date of Decision: 29.08.2025

Vir Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Simranjot S.Nagra, Advocate
for the petitioner.

Mr. Nirmaljit Singh Diwana, Senior DAG, Punjab.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, seeking a writ in the nature of Mandamus, directing the official respondents to take strict legal action against the private respondents, who are dumping dung/garbage in the Panchayati land, in front of the petitioner's house.

2. In the instant writ petition, the petitioner has made the following averments in paragraphs No.5, 7 and 11:-

“5. That the issue which now leading the petitioner to file this present petition is that the private respondents again from 25.07.2025 started dumping Dung and garbage in the Panchayati Land which is in the front of the house of the petitioner. Private respondents cut down the wires fencing which was installed on the instructions of the Respondent No.2 and also cut down the small trees and flowers planted by the Panchayat in the said land. They also removed and destroyed the instruction board which was fixed by the

*Panchayat on the oral instructions of the respondent No.2 which mentioned that throwing garbage is prohibited. The private respondents are challenging the petitioner that nobody could get the said Panchayati land vacated from them as now they are doing it with the support of current MLA of the area. The **Photographs of the site in dispute** are annexed herewith as **Annexure P-3**.*

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7. That in the evening of 25.07.2025 the private respondents illegally cut down the fencing wires fixed over the said land which was installed on the orders of the respondent No.2. They also cut down the small fruit trees and flowers plant. They started dumping dung and garbage over the said land.

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11. That it will also not be out of place that the petitioner and some other neighbors of the petitioner were allotted one sewerage pit in the said Panchayati Land where they discharge their sewerage waste. The private respondents are now trying to block the said pit with the Dung and garbage.”

3. It is apparent from the above extracted averments that the instant matter involves disputed questions of fact which would be required to be proved by leading of evidence, which is not permissible before this Court.

4. Accordingly, the present writ petition is dismissed, however, leaving it open to the petitioner to avail other civil remedies, in accordance with law.

5. All pending application(s), if any, shall also stand closed.

29.08.2025
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No