

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 9433 of 2012

Date of Decision: 30.7.2012

Puran Singh

... Petitioner

Versus

State of Punjab and Others

... Respondents

**CORAM: Hon'ble Mr. Justice Jasbir Singh, Acting Chief Justice.
Hon'ble Mr. Justice Rakesh Kumar Jain.**

Present: Mr. R.V.S. Chugh, Advocate
for the petitioner.

Mr. Alok Jain, Additional Advocate General,
Punjab, for respondents No.1, 3 and 4.

Mr. Rajesh Kumar, Advocate
for Ms. Reeta Kohli, Advocate
for respondent No.2.

Mr. Tejinder Pal Singh Makkar, Advocate
for respondents No.5 to 12.

Jasbir Singh, Acting Chief Justice (Oral)

Reply on behalf of respondents No. 5 to 12, filed today in Court, is taken on record.

Short reply, filed today in Court on behalf of respondent No.4, by way of affidavit of Harpreet Singh, Senior Superintendent of Police, Mansa, is also taken on record.

In this writ petition, it is grievance of the petitioner that the private respondents used to play loudspeaker at a high pitch contrary to the directions issued by the Government of Punjab, Department of

Home Affairs & Justice on 29.8.2005 (Annexure P2).

In the affidavit filed on behalf of respondent No.10-President of Gurudwara Sahib Bhagat Ravidas Ji, Baretta, District Mansa, it is stated that respondent No.10 has been authorized to file this affidavit on behalf of respondents No. 5 to 9 and 11 & 12 also. Paragraphs No.5 & 6 of the affidavit read thus:-

“5. That the management is strictly following the directions of the Hon'ble Supreme Court of India (P-1) and the instructions dated 29.08.2005 issued by the Govt. of Punjab (P-2) and at no time the noise level at the boundaries of Gurudwara Sahib exceeds 10dB(A) above the ambient noise standards for the area or 75 dB(A), whichever is lower and the use of such noise creating equipments is completely barred from 10 p.m. to 6 p.m.

6. That it is relevant to mention to it here that in the past, the Gurudwara Management was strictly following the above directions/instructions and through the present affidavit, respondent No.10 on behalf of all the private respondents undertakes to follow the above directions of the Hon'ble Supreme Court of India and the instructions of Govt. of Punjab dated 29.08.2005 in the future also.”

Similarly, in the affidavit filed at the instance of respondent No.4, it is stated that the loudspeakers have been removed and in place thereof box type speakers have been ordered to be installed and noise raised is within the restricted limits.

In view of the situation explained above, this Writ petition is disposed of by issuing directions to respondent No. 4 to ensure that respondents No. 5 to 12 are complying with the terms & conditions of the affidavit filed by them and shall not install the loudspeakers in future.

(Jasbir Singh)
Acting Chief Justice

(Rakesh Kumar Jain)
Judge

July 30, 2012

“DK”