

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

CWP No. 4043 of 2011(O&M)

Date of Decision: 27.02.2012

Jaswant Singh Saini and another

...Petitioners

Versus

State of Punjab and others

..Respondents.

**CORAM: HON'BLE MR. JUSTICE RANJAN GOGOI, CHIEF JUSTICE
HON'BLE MR. JUSTICE MAHESH GROVER.**

Present : Mr. Agam Jund, Advocate, for the petitioners.
Mr. Ashish Verma, Advocate for respondent No.2.
Mr. Jaskirat Singh Sidhu, Sr. Addl. A.G. Punjab
for respondents No. 1 and 3.
Ms. Meghna Malik, Advocate for
Mr. A.R.Takkar, Advocate, for respondent No. 4.

RANJAN GOGOI, C.J.(Oral)

CM No. 2576 of 2012

Heard. Allowed subject to all just exceptions and CM
disposed of.

CM No. 2577 of 2012

Written statement of the respondent No.4 is taken on
record and CM disposed of.

CWP No. 4043 of 2011(O&M)

In the reply filed by the respondent No.4 (para No. 2 of
the preliminary objections) it has been stated that the writ petitioner
has filed a civil suit in the Court of Addl. Civil Judge (Senior
Division), Dera Bassi, titled 'Jaswant Singh Saini and another V. M/s
Parabolic Drugs Ltd.' for damages of Rs. 50 lacs on account of
discharge of chemically polluted water from the drug company on to
the land of the petitioners(plaintiffs). In the said affidavit it has been

further stated that the respondent No.4 Unit has been running on the basis of the consent given by the Punjab Pollution Control Board which is valid till 31.03.2013.

In these circumstances we do not consider it to be justified to keep this writ petition pending any longer. The petitioners having instituted a civil suit may seek their remedies in law from the said Court. Accordingly, the writ petition is disposed of. However, it will be open for the petitioners to approach this Court for recall of this order in the event the petitioners have not filed any civil suit as asserted by the respondent No. 4.

(RANJAN GOGOI)
CHIEF JUSTICE

27.02.2012
'ravinder'

(MAHESH GROVER)
JUDGE