



437/2
11.11.09

16

In the Court of Sh. Jaaginder Singh, C.J.M.,

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE, LUDHIANA

Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala
through its Assistant Environmental Engineer, Punjab Pollution Control
Board, Corporation Building, C-Block, Gill Road, Ludhiana



.....Complainant

Versus

Comp - 437
11/11/09
Decided
10/8/16

Madam
List of documents
not filed
11/11/09

1. M/s Shagun Marriage Palace, Payal Road, Doraha, Distt. Ludhiana through its Owner.
2. Sh. Tarsem Lal, Owner of M/s M/s Shagun Marriage Palace, Payal Road, Doraha, Distt. Ludhiana.
3. Sh. Sukhdev Sharma, Manager of M/s Shagun Marriage Palace, Payal Road, Doraha, Distt. Ludhiana

Complaint u/s 43, 44 read with Section 47 of the Water (Prevention & Control of Pollution) Act, 1974 as amended for violation of section 24, 25 & 26 of the said Act.

Sir,

ATTESTED
EXAMINER
LUDHIANA

06 SEP 2016

Jaswinder Lal
19.7

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State V/s M/s Shagun Marriage Palace 34848 7927

Present: Sh. Jaswinder Singh Senior Law Officer for complainant

Accused on bail with Counsel Sh. Shiv Dutt Sharma Adv.

No defence evidence is present today. An adjournment is requested which is allowed. Now this case is adjourned to 9.08.2016 for defence evidence if any, else for final arguments.

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Jaapinder Singh
CJM/Ldh./19.07.16

Jaswinder 9 8



Present Sh. Jaswinder Singh Senior Law officer of the complainant.
Accused Tarsem Lal is on bail with counsel
Sh. S.K. Sharma Adv.
Accused Tarsem Lal has closed his defence evidence vide his separate statement in writing. Arguments have been heard. Case is now fixed for 10.8.2016 for orders.

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Jaapinder Singh, CJM,Ldh, 9.08.2016.

Number of copy applied..... 9370
C.D. No.....
Date of presentation of application..... 16/8/16
Total Number of pages..... 2
Court Fee Rs.....
Copying Fee Rs..... 5
Urgent Fee.....
Search/Application fee Rs.....
Name of Copyist..... Sargut
Date on which copy prepared..... 6/9/16
Examiner.....

Certified to be true copy
Examiner,
Copying Branch, C.J.S.D.,
LUDHIANA
Authorised Section 76 of
The Evidence Act 1872

Date of Delivery..... 6-9-16
Examiner,
Copying Branch,
Civil Judge (Sr. Division)
LUDHIANA

06 SEP 2016

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In the court of Jaapinder Singh, PCS,
Chief Judicial Magistrate, Ludhiana.

Complaint case no. 437 of 11.11.2009
COMA no.7927/2015.
Date of decision:10.08.2016.

Punjab Pollution Control Board, Vatavaran Bhawan , Nabha Road,
Patiala, through its Assistant Environmental Engineer, Punjab Pollution
Control Board, Corporation Building, C Block, Gill Road, Ludhiana.

..... Complainant.

V E R S U S.

1.M/s Shagun Marriage Palace, Payal Road, Doraha, District Ludhiana
through its Owner.

2.Sh. Tarsem Lal, owner of M/s Shagun Marriage Palace, Payal Road,
Doraha, District Ludhiana

3.Sh. Sukhdev Sharma, Manager of M/s Shagun Marriage Palace, Payal
Road, Doraha, District Ludhiana.

..... Accused.

Complaint under section 43, 44 read with section 47 of the
water (Prevention & Control of Pollution) Act 1974 as
amended for violation of section 24,25 and 26 of the said Act.

Present None for complainant.
 Accused Tarsem Lal is on bail with counsel
 Sh. S.K Sharma.Adv.

J U D G M E N T:-

Present complaint has been filed by complainant board
stating that complainant board was a body corporate having perpetual
succession and common seal, with power to sue and be sued . That vide
resolution dated 30.9.1985, the environmental engineers and Assistant
Environmental Engineers of the board were authorized to sign, verify and
file complaints against defaulters. That notification to this effect was also
issued by State Government and accordingly, present complaint was being

ATTESTED
EXAMINER
LUDHIANA

Jaapinder Singh

06 SEP 2010

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filed by Assistant Environmental Engineer of Regional office of the Board at Ludhiana. That accused no.1 was a company as defined under section 47 of The Water (Prevention & Control of Pollution) Act 1974(herein after referred to as "the act"). and was running the business of marriage palace under the name and style of M/s Shagun Marriage Palace Payal Road Doraha, since 1.1.2008 and accused no.2 Tarsem Lal was the owner and accused no.3 Sukhdev Sharma the manager of the aforesaid business. That accused were discharging trade/ domestic effluents of about 80 kilo litres per day into soakage pit without previous consent of the board and without giving any treatment, thus contravening the provisions of section 24,25 and 26 punishable under sections 43 and 44 of the Act. That several notices were issued to the accused in this regard and opportunity of personal hearing before Senior Environmental Engineer of the complainant board at Zonal Office, Ludhiana was granted to the accused on 22.4.2009 and the orders passed were intimated to the accused, but the accused failed to comply with the provisions of the Act and to obtain the necessary consent and to establish a treatment plant. That premises of accused no.1 were inspected by complainant Assistant Environmental Engineer Sh. Manohar Lal Chauhan on 17.9.09 and report of spot inspection was prepared, depicting the violations committed by the accused. That subsequent notices were issued to accused no.1 for disclosure of names and addresses of Proprietor, partners or Directors etc , but no reply was received. Accordingly, it is pleaded that accused have intentionally contravened the provisions of sections 24,25 an 26 of the Act and were liable to be punished under section 43 and 44 read with section



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LUDHIANA

06 SEP 2016

Jaydev h

