

Civil Procedure Code 1908 (V of 1908) Order 39, Rules 1, 2 – Public toilets are being constructed under the Swachh Bharat Mission Gramin Phase-II Scheme for which funds have been provided by the Department of Water Supply and sanitation – Whether sanction has actually been granted or not is a matter of evidence – Prima facie, it appears that the litigation is motivated by extraneous considerations – Regarding the contention that ground water will be polluted, suffice to say that the toilets are being constructed under a scheme for providing better sanitation in rural areas – Thus, adequate arrangements would have been made for proper disposal of sewage – No prima facie case exists in favour of the petition.

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