

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

C.W.P. No. 16094 of 2013
Date of Decision: February 04, 2015

Ashwani Kumar and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. Ashok Verma, Advocate,
for the petitioners.

Mr. Gaurav Jindal, Addl. A.G., Haryana.

Mr. P.K. Ganga, Advocate,
for respondents no. 16 to 24.

Paramjeet Singh, J. (Oral)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent no.2 to re-fix the tail of Kaluana Disty. from R.D. 160200 to R.D. 184000 by restoring the status quo ante and to close the same at R.D. 184000 and thereafter, not to curtail the tail of Kaluna Disty. from RD 184000 without following due process of law and without notice to the petitioners and other concerned shareholders of Kaluana Disty.

Additional Affidavit dated 04.02.2015 of Mr. V.K. Jagga,

Divisional Canal Officer, Rori Water Services Division, Sirsa, filed in Court today, is taken on record. In this affidavit, it is stated that a project namely remodeling of Kaluana Disty. from RD 133000-160300 has been approved whereby in addition to the already existing discharge of 217.00 Cs, another discharge of 14.11 Cs has been added. In this manner, the petitioners who were alleging that their discharge has been reduced without any justification, have no grievance left. Sh. V.K. Jagga, Divisional Canal Officer, who is present in Court, states that the project will be executed within 15 days.

Since there will be full supply discharge as per the entitlement of the shareholders and RD arising from the main disty. will be getting proper discharge, present petition has become infructuous.

Disposed of as infructuous with a direction to execute the project within aforesaid period of 15 days. However, if at any stage, the petitioners find that there is any change contrary to the provisions of law, they will be at liberty to move appropriate application in this regard.

February 04, 2015
vkd

[Paramjeet Singh]
Judge