

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.27506 of 2013
Date of decision: 04.10.2016

Gagandeep Singh

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Ranjit Saini, Advocate
for the petitioner.

Mr. R.K. Doon, AAG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

When the case came up for hearing on 24.08.2016, following order
was passed by this Court: -

*“Learned counsel for the petitioner submits that he has got the
clear instructions to say that petitioner is ready to bear the total
costs of construction of bridge on new Pinjora Drain in front of his
fields.*

*Learned counsel for the State seeks time to get
instructions.*

On his request, adjourned to 4.10.2016.”

In compliance of the abovesaid order passed by this Court, learned
counsel for the State, on instructions from Sub Divisional Officer Ranvir Singh,
office of Executive Engineer, Water Services Division, Dadupur, District Yamuna

Nagar, submits that the department shall have no objection, if the petitioner constructs the culvert/bridge as shown in blue colour on RD 15060 Pinjora Drain (Annexure P-11), at page 55 of the paper book. With the official communication dated 03.10.2016 issued by Executive Engineer, Water Services Division, Dadupur, District Yamuna Nagar to the Advocate General, Haryana, another copy of coloured aksh sajra as well as site plan, showing the proposed bridge, has also been placed before this Court, which are taken on record as Mark A, B and C. Learned counsel for the State further submits that if the petitioner raises the construction of bridge/culvert at the proposed site, then it will be the responsibility of the petitioner himself to maintain the said bridge in future as well, so as to avoid any untoward incident.

Learned counsel for the petitioner fairly states that the abovesaid statement made by learned counsel for the State is acceptable to the petitioner.

In view of the abovesaid respective stands taken on behalf of both the parties, present writ petition is disposed of, permitting the petitioner to raise construction of culvert/bridge at the proposed site shown in blue colour of the site plan (Annexure P-11), in view of no objection given by the officers of the department as per Mark A, B and C. All these four documents i.e. Annexure P-11 as well as Mark A, B and C shall form part of the order, so as to avoid any kind of confusion in future.

However, it is made clear that petitioner shall get the design and size of the proposed culvert sanctioned from the competent authority of the respondent department, before starting the construction. It shall be the responsibility of the respondent department to ensure that the proposed culvert is constructed as per the norms and duly approved drawings. Executive Engineer,

Drainage, Tejli Road, Near Sacred Heart School, Nehar Colony, Jagadhri-respondent No.4 shall also ensure that the proposed culvert is constructed maintaining the quality of construction, so as to avoid any untoward incident in future.

With the abovesaid observations made and directions issued, present writ petition stands disposed of.

04.10.2016
vishnu

[RAMESHWAR SINGH MALIK]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No