

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

(234)

**CWP-9983-2016 (O&M)
Decided on: May 17, 2017.**

Dharampal

.... Petitioner

Versus

State of Haryana etc.

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Navratan Singh, Advocate, for the petitioner.

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

Mr. Pawan Girdhar, Advocate, for respondent No.4.

M.M.S. BEDI, J (ORAL)

Miscellaneous application CM-7085-CWP-2017 is allowed.

Order dated 19.04.2017 so far as striking defence of respondent No.4 is concerned, is hereby recalled. Reply on behalf of respondent No.4 has been filed. Copy given to the counsel for the petitioner. Costs having not been demanded, the order of cost shall be deemed to have been waived off.

Petitioner is resident of village Raison, District Karnal. He has filed the present writ petition for issuance of a writ in the nature of mandamus directing the respondents to ensure the proper drainage of rain/flood water from the agricultural land of the petitioner and others by presenting a status report of the construction project of the Amin drain and its timely completion under the supervision of this Court and secondly to remove the blockages of drainage culverts or the pipes on the road from Raison to Ghararsi and Raison to Jhinjarpur which are responsible for the water logging.

Reply has been filed on behalf of respondent No.4 taking up preliminary objections that the respondents have laid 4 pipes of 1.5 feet size each for disposal of the rain water at the places referred to by the petitioner regarding the water logging on the road from village Jhinjarpur to Raison. It has been mentioned that the road has been completed on 28.05.2002 by the respondents and was repaired in 2016-17. The answering respondents laid 5 pipes of 1.5 feet size for disposal of the rain water on both sides. It has been mentioned that no complaint from any corner had been received till 06.10.2015 but on 06.10.2015 the petitioner along with one another complainant had expressed their grievance before the CM Grievances Redressal System as such the direction was issued for monitoring the same.

After going through the written statement and preliminary objections, I am of the opinion that the petition has outlived its utility and has become infructuous with the work already undertaken by the respondents as is apparent from the annexures appended with the reply.

The petition is dismissed. However, in case, there is any blockage or water logging during the current monsoon season, it will be open to the petitioner to approach this Court again.

(M.M.S. BEDI)
JUDGE

May 17, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No