

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Letters Patent Appeal No. 1020 of 2017 (O&M) in
CWP No. 10365 of 2014
Date of decision: 26.4.2018

Ram Partap and another

.. Appellants

v.

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE B. S. WALIA

Present: Mr. Rajiv Sharma, Advocate for the appellants.
Mr. Samarth Sagar, Addl. Advocate General, Haryana.
Mr. Ashok Verma, Advocate for respondents No. 5 to 7.

...

Rajesh Bindal J.

Order dated 10.1.2017 passed by the learned Single Judge has been impugned in the present intra-court appeal.

Much facts in detail are not required to be recorded. The dispute pertains to a sanctioned watercourse. Initially, the watercourse, as shown in the plan produced in court today and marked as 'ABDEGA' was the watercourse sanctioned by the Divisional Canal Officer. However, before the Superintending Canal Officer, an alternate was ordered, which is now shown in the plan as 'AECDA'.

Learned counsel for the appellants submitted that the proposed watercourse is bifurcating the land of the appellants, where a school has been constructed from the place marked as 'CBA'.

To resolve the issue, on 18.1.2018, parties sought time. Now an alternate has been suggested, which is shown in the plan as 'CGF' as against

appellants.

Both the parties are agreed that the aforesaid watercourse be treated as the sanctioned watercourse as against the earlier sanctioned watercourse.

In view of the above consent of the parties, it is directed that the aforesaid watercourse from the place, agreed as 'CGA', will be constructed by the State, Whatever amount is required for construction of the watercourse, the same shall be deposited by the appellants with the State within a period of one week after the estimate is provided to them. After the aforesaid amount is deposited by the appellants, the State shall construct the watercourse within a period of one month thereafter. It is further directed that mutation of the land now to be utilised for construction of the watercourse shall be entered in the name of the State.

The appeal stands disposed of accordingly.

(Rajesh Bindal)
Judge

(B. S. Walia)
Judge

26.4.2018
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No