

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

CWP No.3101 of 2019  
Date of decision:-04.02.2019

Rachhpal Singh @ Jaspal Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

**CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**

Present:- Mr. Gopal Singh Nahel, Advocate for the petitioner.

**TEJINDER SINGH DHINDSA, J.(ORAL)**

Counsel submits that the petitioner is in cultivating possession of 33 kanals 6 marlas land in Village Bahadurgarh Jandian, Tehsil and District Bathinda.

Instant writ petition has been filed seeking issuance of directions to the official respondents under the Soil Conservation Department, State of Punjab, not to install a Nakka in the land of the petitioner i.e. Khewat No.169/148, Khatoni No. 393 bearing Khasra No.580 (16-13) situated in the aforementioned village on the plea that underground pipelines already have been installed to irrigate the land of the private respondents.

In support of such contention, counsel has adverted to a site plan appended on record as Annexure P-4. It is submitted that a policy has been framed under the Rashtriya Krishi Vikas Yojna for laying down underground RCC pipelines so as to ensure there is no wastage of water. Under the policy, 90% of the cost of the RCC water pipelines was to be borne by the State Government and the balance 10% by the farmer/stakeholder. It is urged that there are already four outlets from the underground

RCC pipelines laid down for irrigation of the fields of the private respondents and as such there would be no requirement of installing an additional Nakka in the land of the petitioners for such purpose.

In the light of the grievance raised in the instant petition and without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the instant writ petition with a direction to respondents No.3 and 4 to examine the matter against the backdrop of a representation dated 09.07.2018 (Annexure P-4) and to thereafter take steps as deemed necessary and warranted in accordance with law.

Needless to mention that if the claim and prayer of the petitioner is found to be having some weight, an opportunity of hearing would be granted to the private respondents before taking a final view.

Disposed of.

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

04.02.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No