

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

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**CIVIL WRIT PETITION NO.26744 OF 2018
DATE OF DECISION: APRIL 23, 2019**

Devi Chand and others

.....Petitioners

VERSUS

State of Haryana and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Jagjeet Beniwal, Advocate,
for the petitioners.

Mr. Pradeep Prakash Chahar, DAG, Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

In compliance with the order passed by this Court on 28.02.2019, affidavit of Executive Engineer, Narwana Water Services Division, Narwana, has been filed, according to which, as per the policy instructions dated 25.01.2007, Annexure R-1, the distance for construction of village road bridge has been prescribed. It has been decided that the minimum distance from the existing bridge on either side in case of village road bridge from the field to field would be 1 K.M. in case of canals/drains with capacity of 350 Cs. or below. Since the canal would fall in this category, therefore, as per the policy, no bridge can be constructed for providing access to the petitioners.

However, it is not disputed by counsel for the State that initially

during consolidation, the petitioners were provided access to their fields but because of the construction of Barsola Feeder in the year 2000, the fields of the petitioners have been cut off and he also admits that as of now there is no access to the field of the petitioners and access can only be provided by constructing a bridge/*burjees* as per the demand of the petitioners.

Keeping in view the peculiar facts and circumstances of the present case and taking into consideration the fact that there is no access to the fields of the petitioners because of the construction of Barsola Feeder at a subsequent stage after the consolidation, direction is issued to the respondents to provide access by any means, which would include construction of *burjees* as well, to the petitioners over the Barsola Feeder. The said exercise be carried out within a period of six months from today.

With the above observations, the writ petition stands disposed of.

April 23, 2019
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No