

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

(1) CWP No. 7757 of 2020

Mukhtiar Singh & others ...Petitioners

Versus

State of Haryana & others ...Respondents

(2) CWP No. 9304 of 2020

Gurnam Singh & others ...Petitioners

Versus

State of Haryana & others ...Respondents

(3) CWP No. 9539 of 2020

Ram Chand & others ...Petitioners

Versus

State of Haryana & others ...Respondents

(4) CWP No. 9520 of 2020

Bira & others ...Petitioners

Versus

State of Haryana & others ...Respondents

(5) CWP No. 9732 of 2020

Manoj Kumar ...Petitioner

Versus

State of Haryana & others ...Respondents

(6) CWP No. 9621 of 2020

Jasbir & others ...Petitioners

Versus

State of Haryana & others ...Respondents

(7) CWP No. 10966of 2020

Gurjit Singh & another ...Petitioners

Versus

State of Haryana & others ...Respondents

(8) CWP No. 12654of 2020

Amit Kumar and another ...Petitioners

Versus

State of Haryana & others ...Respondents

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN**

Present : Mr. C.B. Goel, Advocate,
Mr. Vikram Singh, Advocate,
Mr. Rajinder Goyal, Advocate,
Mr. Gautam Kalie, Advocate,
Mr. Gautam Diwan, Advocate and
Mr. Manoj Sharma, Advocate for the Petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Mr. Sanjeev Gupta, Advocate for Respondent No.5
in CWP-7757-2020.

Mr. Aarav Gupta, Advocate for the Respondent No.5
in CWP-9304-2020 & CWP-9732-2020.

Mr. Karan Garg, Advocate for the Respondent Nos. 6 to 9
in CWP-9520-2020 and for the Respondent Nos. 6 to 12
in CWP-9539-2020.

Dr. S. Muralidhar, J.:

1. The challenge in these petitions is essentially to an instruction dated 20th May, 2020, pertaining to crop diversification under the scheme 'Mera Pani Meri Virasat', issued by the Principal Secretary, Development and Panchayats Department, Government of Haryana to all the Deputy Commissioners, the District Development & Panchayat Officers and the Block Development & Panchayats Officers in the State of Haryana. The said instruction reads as under:

“It has been decided in a meeting under the Chairmanship of Hon’ble Chief Minister that in respect of Agriculture lands related to Panchayat Department in various 12 blocks of 4 districts in villages (list as supplied by the Agriculture Department is enclosed) where ground water level is 35 mtr, and more, the Gram Panchayats will get permit cultivation of paddy in their Agricultural lands, further applicable financial benefits @ Rs.7500/-per acre will be provided to respective Panchayats in lieu of diversification from paddy to other alternate crops by the Agriculture Department.

Village wise list of 12 Blocks with their respective ground water level as notified by the Agricultural Department is enclosed herewith.

Village Having ground water level less than 35 mtr. are allowed cultivation of paddy in these 12 Blocks as notified by the Agriculture Department.

You are, therefore, requested to proceed accordingly in case of any information the Deputy Director, Agriculture posted in the Districts Offices may be contacted for the same.”

2. The Court notes that although these petitions have been pending in this Court for a while, the paddy cultivation season for this year has concluded. As far as the Court can appreciate, the question whether a circular/instruction of the above nature is required to be issued, will have to be reviewed periodically, keeping in view the monsoon pattern and the availability of water, which is bound to vary from year to year.

3. Consequently, the Court is of the view that it is for the Government of Haryana to review the position and consider whether any similar instruction is required to be issued for the paddy cultivation season of the next year.

4. If it decides to so continue and issues any such similar instruction, it will be open to the Petitioners to challenge the same in accordance with law. In such event, all the contentions raised in these petitions are reserved for being raised by the Petitioners at that stage.

5. In that view of the matter, no further directions are required to be issued in these petitions and they are disposed of as such.

6. A photocopy of this order be placed in the files of the connected matters.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

13th October, 2020
Anjal

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No