

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106

CWP-14537-2020

Date of Decision:16.09.2020

Surender and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Ms. Divya Jairath, Advocate for
Mr. Vijay Dahiya, Advocate,
for the petitioners.**

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Petitioners are claiming themselves to be farmers of village Sungarpur, Tehsil Tosham, District Bhiwani and are getting irrigation facility from Mahu Distributory falling under Jui Water Services Division, Bhiwani. Petitioners have filed the present writ petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents especially respondent Nos.2 and 3 to consider their representation dated 27.08.2020(Annexure P-1) with a further direction not to remove the existing structure of Mahu Distributory from the right side of Nigana Canal at RD 16500-L under Jui Water Services Division, Bhiwani and continue to supply water as per existing system for some more time, so that the crops standing in their fields are not destroyed.

Learned counsel for the petitioners has argued that for the relief claimed in the present petition, the Gram Panchayat, Sungarpur, Block Tosham(Bhiwani), through their Sarpanch has already represented to the Deputy Commissioner, Bhiwani, but the same is pending consideration and no decision has been taken thereon.

Notice of motion.

At this stage, Ms. Ranjana Shahi, Addl. A.G., Haryana, appears and accepts notice on behalf of the respondents-State.

Heard.

The present writ petition is disposed of, at this stage, with a direction to the Deputy Commissioner, Bhiwani, to take note of the grievance of the petitioners as submitted in the representation dated 27.08.2020(Annexure P-1) and, in case, crops are standing in the fields, defer the process of laying down cemented pipe-line for another 15 days from today.

However, the respondents would be at liberty to go ahead with the process of laying down cemented pipe-line in the areas where no crops are standing.

Disposed of accordingly.

September 16, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No