

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

Sr. No.201

CWP No.21368 of 2020

DATE OF DECISION: May 07, 2021

RANJODH SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Maninder Arora, Advocate, for the petitioner.
Mr. T.P.S. Chawla, DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

Reply by way of affidavit of Sh. Manpreet Singh Dua, Executive Engineer, Provincial Division No.2, PWD (B&R), Patiala has been sent through email on behalf of respondents No.1 to 3. The same is taken on record. The Registry is directed to tag it at the appropriate place.

This petition has been filed for direction to the respondents to provide drainage in the land of the petitioner as allegedly his crops get damaged due to standing rain water.

According to the pleadings, land of the petitioner is situated adjoining the metaled link road connecting Village Balsuan to Chandua Khurd. Every year, during the rainy season, water collects in the land as there is no drainage therefrom. The father of the petitioner moved representations dated 17.07.2015 whereupon, Tehsildar, Rajpura sought a report from the Patwari. The Patwari submitted a report dated 23.07.2015 in favour of the petitioner, but no action has been taken thereupon. Even BDPO, Rajpura has written letter dated 08.09.2015 to the SDM, Rajpura

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without any result. Legal notice dated 14.08.2020 was issued but the same was ignored. This was followed by various emails and finally the petitioner was constrained to approach this Court.

Reply dated 22.04.2021 has been filed on behalf of respondents No.1 to 3. A perusal thereof shows that the stand of the State is that after inspection of the land in question, a technical report Annexure R-3 was prepared and site plan Annexure R-4 was drafted. According to the same, the slope of the land is from Chhappad (Pond) No.1 to Chhappad No.2 to Chhappad No.3. For flow of accumulated rain water culverts have been provided as shown in the site plan. A total of 12 culverts have been constructed for free flow of water. Process of re-carpeting does not raise the level of the road significantly. The spot inspection and technical evaluation has led to the conclusion that there is no scope of stagnation of rain water in the fields of the petitioner.

There is no counter to the written statement submitted on behalf of the State. Although, it has been orally submitted that sufficient arrangements for drainage of rain water do not exist, the same cannot be accepted.

In view of the stand taken in the written statement, there is no merit in the writ petition and the same is dismissed.

May 07, 2021

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No