

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(1) CWP-7867-2022
Date of decision: 25.04.2022

Surender Kumar and another ...Petitioners

Versus

The State of Haryana and others ...Respondents

(2) CWP-7913-2022

Umed Singh ...Petitioner

Versus

The State of Haryana and others ...Respondents

(3) CWP-7930-2022

Shankar ...Petitioner

Versus

The State of Haryana and others ...Respondents

(4) CWP-5719 of 2020

Balbir singh and others ...Petitioners

Versus

The State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Radhe Shyam Sharma, Advocate
for the petitioners

Mr. S.S.Sahu, Advocate
for the petitioners (in CWP-5719-2020)

Mr. Harsh Vardhan, AAG, Haryana.

ANIL KSHETARPAL, J (Oral)

This order shall dispose of four different writ petitions, filed for

grant of identical relief. The petitioners in various writ petitions pray for issuance of a writ in the nature of mandamus directing the respondents to take a final decision on their representation and to pay compensation for utilization of their land for construction of Khabra Minor.

It is not in dispute that Khabra Minor was constructed in the year 1982-1983. These writ petitions have been filed in the year 2020 and 2022. The petitioners rely upon Civil Writ Petition No.10073 of 2018.

Sh. Harsh Vardhan, Assistant Advocate General, Haryana, points out that the aforesaid writ petition is with regard to utilization of land for Dhangar Minor, whereas these writ petitions are with respect to Khabra Minor. He further points out that the then landowners had given an undertaking that they shall not claim compensation for construction of Minor drain as it will lead to increase in the availability of the water for the purpose of irrigation.

Keeping in view the aforesaid stand, the disputed questions of fact are required to be decided.

Hence, the petitioners, if so advised, may avail an alternative remedy.

Disposed of accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

April 25, 2022
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No