

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

231

CWP-20597-2020.

Date of Decision: 19.09.2022.

Anil Kumar and another

.. Petitioners

VERSUS

State of Punjab and others

.. Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. Manish Kumar Singla, Advocate,
for the petitioners.

Ms. Niharika Sharma, AAG, Punjab,
for respondent Nos.1 to 4.

Mr. D.K. Singla, Advocate, for respondent No.6.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India, praying for issuance of a writ in the nature of mandamus directing the official respondents to immediately restart the construction work of bridge on Ghaggar Branch, near Lehragaga at KM 26, on Sunam – Lehragaga – Jakhal road.

Pursuant to the interim orders passed by this Court, an affidavit of Kirandeep, Executive Engineer, Lehal Division, Irrigation Branch, Patiala, on behalf of respondent No.4, has been filed today in the Court which is taken on record. A copy thereof has been furnished to the learned counsel for the petitioner.

The relevant extract of the aforesaid affidavit reads as under:-

“3. That as per the report submitted by respondent No.3 vide letter No.1485 dated 06.01.2022. The construction of the work of the bridge is already complete in all respects.

Accordingly, there is no need to stop the flow of water in the canal for the construction of approach roads of this bridge. Copy of the report dated 06.01.2022 is attached as Annexure R-1.

4. That it is respectfully submitted that the execution of construction work of this bridge as well as of the approach roads of this bridge and the relining work of the brick lining of this canal, damaged during this bridge construction work. The said construction work of the bridge have been in scope of the respondent No.3 only and no scope of this execution lies with the answering respondent No.4.”

Furthermore, the letter addressed to the Advocate General, Punjab, by the office of Executive Engineer, Construction Division, PWD B&R, Sangrur, bearing Endst. No.1485 dated 06.01.2022, clearly shows that the respondent – builder had been awarded the work and the same has been completed including the construction of all approaches, laying and compaction of 200 mm thick GSB layer (both sides); laying and compaction of 250mm thick WMM layer (both sides); laying and compaction of 50mm thick DBM layer (both sides) and laying and compaction of 40mm thick BC layer (both sides) along with other works.

Learned State counsel thus contends that there is no pending work against the aforesaid tender and resultantly, the present petition has been rendered infructuous.

Learned counsel appearing on behalf of the petitioners does not controvert the aforesaid statement recorded in the affidavit so filed by the respondent No.4.

Consequently, the instant writ petition is disposed of as having been rendered infructuous, at this stage.

September 19, 2022.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No