

117

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

CWP-5064-2023 (O&M)
Date of decision : 17.04.2023

Gurcharan Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Yagsimant Attri, Advocate for the petitioners.

Mr. Ferry Sofat, Addl. A.G. Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents to carve out water channel (khaal) with adequate police assistance to maintain law and order while implementing the order dated 21.03.2018 (Annexure P-1) which has also been affirmed in appeal vide order dated 06.04.2021 (Annexure P-2) and in which even Executive Engineer had requested respondent No.4 vide office letter dated 02.03.2022 (Annexure P-4) to provide police help and to appoint Duty Magistrate.

2. Learned counsel for the petitioners has submitted that the orders, of which the implementation have been sought, have neither been stayed by this Court nor have been challenged.

3. On 14.03.2023, learned State Counsel had prayed for an adjournment to get instructions in the matter.

4. Learned State Counsel, on instructions from Mr. Gurpreet Pal Singh Sandhu, Division Canal Officer, Irrigation Department, Sangrur, has submitted that the orders would be implemented within a period of two months from today.

5. Learned counsel for the petitioners has submitted that in view of the abovesaid statement made by learned State Counsel, the present Civil Writ petition has been rendered infructuous and same may kindly be disposed of as such. It is however prayed that the State be bound by the abovesaid statement.

6. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of as having been rendered infructuous.

7. The State would be bound by the abovesaid statement.

8. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

17.04.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No