

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(211)

CWP-23362-2014 (O&M)

Date of decision: - 07.02.2023

Bhura Singh and another

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- None for the petitioners.

Mr. Rohit Ahuja, DAG, Punjab
for respondents No.1 to 5.

Mr. Kuldeep, Advocate
for Mr. Tribhuwan Singla, Advocate
for respondents No.6 to 46.

VIKAS BAHL, J. (ORAL)

CM-3650-CWP-2017

This is an application under Order 1 Rule 10 read with writ jurisdiction rules for impleading the applicants as respondents No.6 to 46.

For the reasons stated in the application, the same is allowed.

The applicants are ordered to be impleaded as respondents No.6 to 46 and the amended memo of parties is taken on record, subject to all just exceptions.

CWP-23362-2014

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus

for directing the respondents to immediately resume watercourse minor No.7 and removed the sand which has been filled due to sand the watercourse.

Learned State counsel has filed an affidavit dated 04.02.2023, today in the Court and the same is taken on record. A copy thereof has been supplied to learned counsel for the petitioner.

Learned State counsel, on instructions from Bhavuk Sharma, Divisional Engineer, Punjab Water Resources Management and Development Corporation, Lining Division No.6, Ramapura Phul, who is stated to be present in Court and has filed his affidavit dated 04.02.2023, has submitted that as per the said affidavit, it has been stated in paragraph 4 that the work for relining of water course and laying of underground RCC pipeline for outlet RC 16819 TF of Sub Minor No7 of Handiaya Minor of Barnala distributory has already been completed and shareholders are irrigating their fields through this watercourse. Paragraph No.4 of the said affidavit is reproduced as under: -

4. That in compliance with the orders issued by this Hon'ble Court the work for relining of water course and laying of underground RCC pipeline for outlet RC 16819 TF of Sub Minor No7 of Handiaya Minor of Barnala distributory has already been completed and shareholders are irrigating their fields through this watercourse."

Learned State counsel, in view of above, has submitted that the grievance of the petitioners has been addressed and the present writ petition has been rendered infructuous.

No one has appeared on behalf of the petitioners to rebut the said averments.

Keeping in view the above-said facts and circumstances, the present writ petition is disposed of, as having been rendered infructuous. However, liberty is granted to the petitioners to move an application for restoration of the case or to file a fresh petition in case any cause survives.

Pending application(s), if any, stand disposed of in view of the above-said order.

February 07, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No