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

CWP-19429-2018

Date of decision : 23.02.2023

Pawan Kumar and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ankush Bharti, Advocate for
Mr. K.K. Goel, Advocate for the petitioners.

Mr. Karan Puggal, DAG, Punjab
for respondent Nos.1 to 4 and 11.

Mr. Harsh Aggarwal, Advocate for respondent Nos.5 to 10.

VIKAS BAHL, J. (ORAL)

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 certiorari for quashing the order dated 17.07.2018 (Annexure P-1) passed by respondent No.3 and order dated 18.07.2018 passed by respondent No.4 for providing police help to respondent No.11 for draining out the water from the land of respondent Nos.5 to 10 by constructing a causeway near the houses/agricultural land of the petitioners.

Learned counsel for respondent Nos.5 to 10 has pointed out that order of the Deputy Commissioner has already been implemented by

respondent No.11 on 26.07.2018 and thus, the present Civil Writ Petition has been rendered infructuous. It is further submitted that petitioner Nos.1, 6 and 10 who have common interest with the petitioners have filed a civil suit for the same cause of action bearing Civil Suit No.3670 of 2018 and thus, the present Civil Writ Petition, on that ground also, cannot survive.

Learned counsel for respondent Nos.6 to 10 has submitted that there is no replication filed to the said reply and thus, the present Civil Writ Petition has been rendered infructuous.

Learned counsel for the petitioners has submitted that in view of above, the present Civil Writ Petition may kindly be disposed of as having been rendered infructuous but liberty be granted to the petitioners to file an application for restoration of the present Civil Writ Petition in case any cause survives to the petitioners.

In view of the above, the present Civil Writ Petition is disposed of as having been rendered infructuous with liberty aforesaid.

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

23.02.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**