

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

CWP-16733-2023

Date of decision : 03.08.2023

Shiv Kumar and others

.....Petitioners

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Nipun Bhardwaj, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for directing the official respondents to open the water culvert which has been blocked by putting earth by private respondents and the same resulted in damaging the standing crops as well as the houses of the petitioners and other residents of the village.

It has been contended by counsel for the petitioners that the culvert which was running from last 20 years, has been closed by the villagers on account of which fields of the petitioners has been flooded. He submits that due to non opening of the same, petitioners are facing acute problem for the cultivation of their land. He submits that the petitioners filed their representation dated 10.07.2023 to the respondents-authorities but no action has been taken by them.

Notice of motion.

On asking of Court, Ms. Upasana Dhawan, AAG, Haryana accepts notice on behalf of the respondents-State.

Learned State counsel, at the outset, on instructions from Mr. Vikas Giri, SDO Irrigation, has submitted that the respondents-authorities have already initiated the action and as per the instructions, this culvert is a *nehri khal* and same had been stopped by the villagers as the villagers were suffering due to the flood. She further submits that the efforts are being made by the respondents-authorities for resolving the dispute by finding an amicable solution. She further submits that the representation which is already pending adjudication would be decided and the grievances of the petitioners would be redressed in due course of time and in accordance with law.

After hearing counsel for the parties and perusing the record, respondent No.2-the Deputy Commissioner-cum-Collector, Kaithal, District Kaithal is directed to decide the representation (Annexure P-2) filed by the petitioners expeditiously preferably within four weeks from today in accordance with law.

In view of the above, present petition is disposed of.

03.08.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No