

THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.8849 of 2018
Date of Decision: 20.12.2023

Sheel Kumar and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Alok Jain, Advocate
for the petitioners.

Ms. Upasna Dhawan, AAG, Haryana.

RAJESH BHARDWAJ, J.

Present writ petition has been filed for quashing the impugned action of respondents in proceeding with the proposal to construct a Minor out of 'Nardak Major Distributory' Known as 'Bandrala Minor' in malicious manner without framing any Scheme for digging of 'Bandrala Minor' or publishing it for finalizing its path by resorting to proper surveyor or issuing notice and inviting objections from petitioners and persons likely to be adversely affected in utter negation and breach of the provisions of Haryana Canal and drainage Act, 1974 and rules made thereunder or by following due process of law and furnishing documents despite repeated request and notice (Annexure P-4 to P-6, P-8) being illegal, arbitrary, perverse, irrational, capricious,

without jurisdiction, discriminatory unconstitutional, ultraview the Haryana Canal and Drainage Act, 1974.

Learned State counsel has filed an affidavit dated 20.12.2023 of Rajesh Kumar Chopra, Executive Engineer, Karnal Water Services Division, Irrigation & Water Resources, Department Haryana, Karnal today in the Court and the same is taken on record.

It has been submitted by learned counsel for the State that by exercising the powers conferred under Section 18(2) of the Haryana Canal & Drainage Rules, 1974, New Bandrala Minor Scheme plan has been set aside and all the co-sharers of the relevant villages were informed as per Rules. He submits that once the scheme itself has been withdrawn, the grievances of the petitioners stand redressed and the present petition has been rendered infructuous.

In view of the above position, the present petition is disposed of as infructuous.

(RAJESH BHARDWAJ)
JUDGE

20.12.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No