

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

228

CWP-10945-2020 (O&M)
Date of decision: 09.01.2024

Smt. Angoori Devi

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Shokeen Singh Verma, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition is for issuance of directions to the respondents to take strict action against the culprit farmers, who were involved in illegal acts of pulling out/digging and damaging the water pipeline laid/installed by the petitioner for irrigation of her horticulture/poly house framing project on her agricultural land measuring 13 acres situated in village Talwandi Rukka, Tehsil and District Hisar.

Pursuant to the order passed by this Court, reply has been filed by the Deputy Commissioner, Hisar wherein it has been averred that an FIR No.326 dated 05.07.2020 has already been registered against the erring farmers, if any, for commission of offences under Sections 147, 149, 341, 427 and 506 IPC at Police Station Azad Nagar, Hisar. The mischief, if any,

caused is thus under active consideration of the respective agency. A short was also filed on behalf of respondents No. 1 and 2 by the District Horticulture Officer, Hisar wherein it has been averred that as a case the requirement of laying the pipeline to a depth of more than 3 feet, the depth of the water pipeline was found to be between 1 to 2 feet deep.

In view of the above, insofar as the prayer of the petitioner for taking action against the erring farmers is concerned, the same has already been adverted to an FIR which stands registered. It is also evident that the pipeline has not been laid down in accordance with the parameters prescribed by the department. Learned counsel for the petitioner contends that he is willing to re-lay the pipeline as per the required depth prescribed and that the requisite permission may be granted by the respondent-authorities.

Learned State counsel does not have any objection to the same and contends that in the event of the petitioner approaching the respondent-authorities of the Irrigation supply to her Horticulture Project, the same would be considered and an appropriate order shall be passed in accordance with law within a period of 3 months of the receipt of such request.

Disposed of in above terms.

(VINOD S. BHARDWAJ)
JUDGE

09.01.2024
Mangal Singh

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