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

CWP-16465-2019 (O&M)

Date of Decision: 29.05.2024

Gurdev Bir Singh and others

..... Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ashok Kumar Khunger, Advocate,
for the petitioners.

Mr. Navneet Singh, Sr. DAG, Punjab.

Mr. Vipin Pal Yadav, Advocate
for respondents No.4 and 5.Mr. Sandeep Jasuja, Advocate, for
respondents No.8 to 12.**Rajesh Bhardwaj, J. (Oral)**

1. Prayer in the present petition is for issuance of direction to respondents No.1 to 7 for laying down the underground pipes of newly sanctioned watercourse/outlet No.14505-R Muradwala Minor strictly in accordance with the orders passed by respondents No.2, 3 and 5. Further prayer has been made to prohibit respondents No.8 to 12 from laying out the underground pipes of the said watercourse at their own level against the order passed by respondents No.2, 3 and 5.

2. Vide order dated 24.05.2024, this Court has summoned the Executive Engineer, Department of Soil and Conservation. Mr. Charanjit Singh, Sub Divisional Soil Conservation Officer, Fazilka and Mr. Ishwar Singh, Zildar, Abohar Division are present in Court. They have apprised the Court that the pipelines laid above the ground, are not as per the laid down procedure. He has submitted that the pipes were to be embedded 3



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feet below the ground, but despite caution given by the respondent-authorities, the private respondents have laid down their pipes against the norms set by the respondent-State. They submit that water supply would be commenced only on finding that the pipeline is laid as per the norms, according to which the necessary level required is essential. It has been submitted that if respondents No.8 to 12 are ready to bear the cost of checking of the level, the same can be rectified. They have fairly submitted that this procedure will cost upto Rs.30,000/-.

3. Private respondents are present in Court and they have submitted that they would bear the cost upto Rs.30,000/-.

4. The officers present in Court have submitted that necessary remedial action for laying down the pipelines, which have been laid above the ground contrary to the norms, would be initiated after 04.06.2024 and would be completed by 30.06.2024.

5. In view of the submissions made above, the present petition is disposed of with a direction to the authorities concerned to initiate the necessary remedial action after 04.06.2024 and complete the same by 30.06.2024. The cost for the same would be borne by respondents No.8 to 12 upto Rs.30,000/-. However, it is made clear that if the cost goes beyond Rs.30,000/-, the same would be borne by the respondent-State. The parties would be at liberty to avail their remedy in case any further cause of action accrues.

29.05.2024
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Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No