



CWP-14566-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-14566-2024

Date of decision : 19.06.2024

Jasvir Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Malhar Singh Dhami, Advocate
for the petitioners.

Mr.N.S. Diwana, Sr.DAG, Punjab.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents for framing a proper scheme / plan and to act upon it on urgent basis in a time bound manner for proper drainage / discharging of huge rainy water, coming from the eastern side of villages situated at higher level and falling in the water pond (Tobha) of village Chak Raju Singh, Tehsil and District Hoshiarpur.

2. Learned counsel for the petitioners has referred to photographs (Annexure P-2) as well as rough site plan (Annexure P-1) to highlight the fact that huge rainy water, which is coming from eastern side of villages which are situated at higher level, is falling in the water pond (Tobha) of

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village Chak Raju Singh, Tehsil and District Hoshiapur, which is situated at lower level and on account of which there is over flow of water and the public streets and residential premises of inhabitants of village are being flooded. It is further submitted that as per Chapter V(7)(a) of the Relief Manual Part 1 Floods, it is the duty of the District Administration / officials / BDPO of the Block to carry out the works related to flood water problems / drainage in the area. It is submitted that for the grievances raised by the petitioners, the petitioners would give a representation to the competent authority of respondent no.1-State and at this stage, would be satisfied in case the said representation is considered by the competent authority of respondent no.1-State in a time bound manner and if after considering the same, in case, the plea raised by the petitioners is found to be meritorious, then appropriate action be taken, in accordance with law.

3. Learned State counsel has submitted that the competent authority of respondent no.1-State would consider the said representation and decide the same within a period of six weeks from the date of the receipt of the said representation.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent no.1-State to consider the representation which would be filed by the petitioners and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of six weeks from the date of the receipt of said representation and in case, after considering the same, the plea of the petitioners is found to be meritorious, then take



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appropriate action, in accordance with law.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent no.1-State would consider and decide the representation independently, in accordance with law.

(VIKAS BAHL)
JUDGE

June 19, 2024
Davinder Kumar

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