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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-1224-2025 (O&M)
Date of decision: 15.09.2025

GURDEV BIR SINGH AND OTHERS

..Petitioners

Versus

SHRI VIKAS PUNIA, SUB DIVISIONAL SOIL CONSERVATION
OFFICER AND ANOTHER

..Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

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

Mr. Ravneet S. Joshi, DAG, Punjab.

SUDEEPTI SHARMA, J. (Oral)

1. The contempt petition has been filed for deliberate and intentional disobedience of order dated 29.05.2024 passed in CWP-16465-2019.

2. The relevant para of order dated 29.05.2024 are reproduced as under:-

“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.”

3. Learned State counsel contends that in compliance of order dated 29.05.2024, affidavit of Mr. Vikas Poonia/respondent No.1 dated 02.05.2025 has already been filed.

4. The relevant paras of affidavit dated 02.05.2025 are reproduced as under:-

“That the matter relates to a pipeline project from Mogha (outlet) No.14505/R Muradwala Minor village Buraj Hanumangarh. The brief background is that prior to sanctioning of Mogha (outlet) No.14505/R Muradwala Minor, the petitioners and private respondents used to irrigate their field through Mogha (outlet) No. 14510 & No.19020/R Muradwala Minor. The newly sanctioned, i.e., Mogha (outlet) No.14505/R and the older Mogha (outlet) No.14510/R are very close to each other due to which the water channels for both the outlets from the source are very close to each other and run parallel to each other specially the first 350 meters (approx.). The total length of the pipeline is 1160 meters out of which 812 meters has been repaired by the respondent department as directed by this Hon'ble Court. However, the remaining 348 meters could not be repaired due to the following reasons:

a) The first 106 meters of pipeline from source (Mogha No.14505/R) has been laid at the depth of around 1 feet from the ground due to the reasons that further trenching beyond this level would have damaged/dismantled the water channel of outlet



Mogha No.14510/R running parallel and close (around 1 feet away) to the current pipeline.

b) The current level/depth of first 348 meters of pipeline from the source (including the 106 meters as mentioned above) is as per the feasibility of the project keeping in view the slope and level of the fields to be irrigated by this project. If the pipeline is laid at greater depth beyond this level, the level at source would become deeper than that of the fields to be irrigated which in turn will make the project unfeasible. Thus, the respondent department has already rectified errors in the remaining 812 meters of the pipeline in compliance of the orders of this Hon'ble Court, also keeping in view the feasibility of the project. Any further amendments in the project would lead to loss of both- the petitioners and the private respondents and also the State exchequer if the project being developed at public cost becomes infeasible”

5. A perusal of affidavit dated 02.05.2025, shows that order dated 29.05.2024 passed in CWP-16465-2019, has been complied with. This fact is not disputed by learned counsel for the petitioner.

6. In view of the above, the contempt is purged and rule is discharged.

7. Needless to say that liberty is however granted to the petitioner to avail any other remedy as is available to him in accordance with law.

September 15th, 2025

Ayub

**(SUDEEPTI SHARMA)
JUDGE**

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