

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

111

CWP-10052-2025

Date of Decision : May 08, 2025

DEEPA KUMARI

-PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. P.S. Punia, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

Mr. Sukhjit Singh, Advocate
for the respondent No.6.

KULDEEP TIWARI, J. (ORAL)

1. The prayer embodied in the instant writ petition appertains to issuance of directions upon the respondents No.4 and 5, to ensure compliance of the order dated 27.01.2025 (Annexure P-6) being made by the respondent No.6- developer, inasmuch as, vide the said order, the Sub Divisional Magistrate, Kharar, has directed to restore the petitioner's disconnected water connection.

2. On 24.04.2025, this Court had passed the following order:-

“Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a mandamus upon the respondents no.4 and 5 to get compliance of interim order dated 27.01.2025 (Annexure P-6), wherethrough, the respondent no.3-SDM, Kharar, has directed to restore the water supply of the present petitioner.

At the time of issuance of notice vide order dated 07.04.2025, a specific direction was passed upon the learned State counsel, to get the reply filed, by way of an affidavit of

respondent no.3, disclosing therein, as to why, the order (supra), has not been complied with till date.

Today, learned State counsel, on instructions imparted to him by SI Harvinder Singh, P.S.Kharar, and Mr. Navdeep Kumar, Ahlmad to SDM, Kharar, informs this Court that after passing of the interim order (supra) another final order has been passed, wherethrough, the directions of restoring water connection was maintained, however, a further direction has been passed upon the petitioner to clear the outstanding maintenance charges towards the builder concerned.

Be that as it may be, this at this stage, this Court is not considering the inter se dispute between the builder and the petitioner, specifically, when the State has come up with a stand that the colony in question is not an authorised one, however, considering the fact that access to potable water is a basic right of the petitioner for its survival, forthwith directs the respondent no.3-SDM, Kharar, to appoint a duty magistrate for restoring the water connection of the present petitioner, and the SHO concerned is also directed to ensure that in future the said connection shall not be disconnected by the builder concerned.

The compliance report be filed on or before the next date of hearing.

Adjourned to 08.05.2025.

To be shown in the urgent list.

It is made clear that no further request for an adjournment shall be entertained on the next date of hearing, on behalf of either of the parties.”

3. Today, the learned State counsel informs this Court that, the water connection of the petitioner has been restored. This submission is not disputed by the learned counsel for the petitioner.

4. At this stage, Mr. Sukhjot Singh, Advocate, records his appearance on behalf of the respondent No.6, under a memorandum of appearance instituted before this Court today, and, as prayed for, he is permitted to file a validly executed Vakalatnama in his favour by the

respondent concerned within 15 days before Registry of this Court.

5. The learned counsel for the respondent No.6 submits that, water connection of the petitioner was never disconnected, rather she is in arrears for the last one year and therefore, the instant writ petition has been filed. He further submits that, they do not have any intention to disconnect either the water or electricity connection of the petitioner.

6. Since the water connection of the petitioner has already been restored, and, the respondent No.6 has made a specific submission before this Court that, they do not have any intention to disconnect the water or electricity connection of the petitioner, hence no further direction is required to be passed at this stage.

7. However, in case, the respondent No.6 has any grievance with regard to arrears, liberty is reserved to him to take the apposite legal recourse for redressal thereof. Moreover, the respondent No.6 shall abide by the assurance (supra) made by his counsel.

8. **Disposed of accordingly.**

May 08, 2025
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No