

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

106

CWP-11974-2025

Date of Decision : July 10, 2025

KARAMJEET SINGH AND OTHERS

-PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioners.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

Mr. Gursimranjit Singh, Advocate (Through V.C.)
for the respondent No.2.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, prayer is made for issuance of directions upon the respondents No.1 to 4, to take appropriate action on the applications dated 22.01.2025 and 24.02.2025, wherein became enclosed requests for construction of the water channel, under the newly constructed road from Village Mulewal to Salempur, for proper drainage of rainwater towards the village pond and to sewerage system.

2. In nutshell, the case set up by the petitioner's counsel is that, when the road in question was being constructed, there was an old iron pipe lying beneath the kacha road at the spot, which was to be metalled for the purpose of drainage of rainwater. The project was duly sanctioned in this regard, however, no action has yet been taken by the respondent No.2 to execute the work.

3. This Court had passed the following order on 30.04.2025:-

“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 respondents no.1 to 4, to take an appropriate action on the application dated 22.01.2025 (Annexure P-1), and dated 24.02.2025 (Annexure P-2), wherethrough, a prayer has been made to construct the water channel, under the newly constructed road from village Mulewal to Salempur, for proper drainage of rain water towards the village pond and to the sewage system.

The indolent and lackadaisical approach of the respondents, for not taking a final decision on the aforesaid application, propelled the petitioners, to file the instant petition.

Notice of motion.

Mr. Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of respondents no.1, 3 and 4, and waives service. Furthermore, he also accepts notice on behalf of respondent no.2, in the capacity of a private practitioner.

He seeks time to file a response to the instant petition.

Adjourned to 09.07.2025.

Considering the fact that the monsoon season is approaching soon, this Court expects from the respondents to file a response to the instant petition, well before the next date of hearing, with a copy in advance to learned counsel opposite.”

4. In deference to the directions encapsulated in the hereinabove extracted order, today the learned counsel for the respondent No.2 has filed a short reply, on affidavit of Er. Puneet Sharma, Executive Engineer, Punjab Mandi Board, Sangrur, which is taken on record.

5. The short reply reveals that, although the respondent No.2 has not refuted the factual submissions made by the petitioner, however, in order to justify the non-execution of the construction work, he has tried to take shelter under a civil suit filed by a private individual namely Amarjit Singh. It is stated in this short reply that, the respondent No.2 has received summons dated 01.04.2025 in the pending civil suit (supra), thereby calling

them to cause appearance.

6. This Court posed a specific query to the learned counsel for the respondent No.2, as to whether any stay order in respect of the construction work in question has been passed by the civil court, to which he answered in negative.

7. In view of the above, this Court deems it appropriate to pass directions upon the respondents, especially the respondents No.2 and 3 to ensure expeditious execution of the pending construction work in question, preferably within a month from today. In case, any private individual tries to cause any hindrance in execution of the construction work, it is the duty of the respondent No.3 to ensure unhindered and smooth execution thereof.

8. It is clarified that, the above directions are passed presuming that, there is no order passed by any competent court/tribunal for staying the construction work in question.

9. **Disposed of accordingly.**

July 10, 2025
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(KULDEEP TIWARI)
JUDGE

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