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

CWP-18883-2021

Date of decision:-20.08.2025

Jai Samiti Khal - 42200L

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr. Ranvir S. Chauhan, Advocate
for the petitioner.

Mr. Deepak Vashisth, DAG, Haryana.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed under Article 226 of the Constitution of India, *inter alia*, for issuance of a writ in the nature of mandamus directing the respondents to repair the damaged lined water course of outlet RD 42200-L Chhara Minor under "One time repair of lined watercourses" scheme of the Government dated 18.04.2003, Annexure P1.

2. Petitioner is a society registered under the Haryana Registration and Regulation of Societies Act, 2012. The members of the



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petitioner – society are farmers whose land is attached to outlet RD 42200-L Chhara Minor and they have approached this Court for the repair of the watercourse under the scheme, Annexure P1.

3. Counsel for the petitioner submits that there was an extensive damage to the watercourse and in terms of the scheme, Annexure P1, petitioner collected Rs.11,100/- and deposited it with the respondents for its repair. Counsel asserts that concurrence to the proposal for repair of the watercourse was given by the Deputy Commissioner, Jhajjar vide communication dated 20.06.2014, Annexure P4 and the Executive Engineer, Sampla Water Services Division, Rohtak processed the matter for administrative approval of the repair work vide letter dated 14.12.2015, Annexure P5. Counsel submits that despite repeated representations, no action was taken and petitioner was eventually informed that as a new policy dated 11.07.2017, Annexure P12, had come into force, petitioner has to apply thereunder. Counsel asserts that during the period 01.06.2015 to 30.06.2017, various administrative approvals were granted for repairs to watercourses in District Jhajjar involving a huge amount, but petitioner's case was deliberately ignored.

4. Upon notice, petition has been contested by the respondents by filing a response that the application submitted by the petitioner under the old scheme was incomplete. When the necessary documents were supplied by the petitioner, case was forwarded to the Chief



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Engineer, LCU for getting necessary administrative approval. However, in the meanwhile, vide letter dated 11.07.2017, Annexure P12, a new policy was issued and petitioner's case was returned on 27.07.2017.

5. I have heard counsel for the parties and considered their respective submissions.

6. From the pleadings of the parties, it is evident that the application submitted by the petitioner under the old scheme remained pending with the government as the petitioner had not supplied the necessary documents. Petitioner's case was considered by the Chief Engineer/LCU, Panchkula on 11.08.2016 and it was found to be incomplete. Petitioner was asked to supply the copy of the registered certificate of Water User Association, which was handed over on 01.06.2017 and on the same day, the case was sent to the Chief Engineer/LCU, Panchkula for getting the administrative approval. However, before approval could be granted, government formulated a new policy on 11.07.2017, Annexure P12 whereunder the petitioner was required to deposit 10% of the amount assessed for repair, which has not been deposited. A stand has been taken by the respondents that there is no delay on their part. It has been stated that cases are taken up unit wise on priority basis and the approvals referred to by the petitioner in the writ petition pertain to different units. Respondents have categorically stated that in case petitioner applies under the new scheme by depositing the requisite amount, the case for repair of watercourse



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shall be duly considered.

7. In view of the above discussion, there is no merit in the writ petition, which is dismissed with no order as to costs.

20.08.2025
Brij

(SUVIR SEHGAL)
JUDGE

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