

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

CWP-23055-2025 (O&M)

Date of decision : 22.04.2026

State of Punjab

.....Petitioner

Versus

Bhakra Beas Management Board and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Maninderjit Singh Bedi, Advocate General, Punjab
(arguing counsel), assisted by
Mr. Chanhall K. Singla, Addl. Advocate General, Punjab, and
Mr. Salil Sabhlok, Senior DAG, Punjab,
for the petitioner.

Mr. Rajesh Garg, Senior Advocate (arguing counsel) assisted by
Ms. Neha Matharoo, Advocate,
for respondent – BBMB.

Mr. Satya Pal Jain, Addl. Solicitor General of India
(arguing counsel), assisted by
Ms. Shalini Atri, Senior Panel Counsel, UOI.

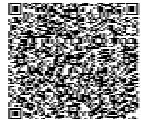
Mr. Deepak Balyan, Addl. Advocate General, Haryana.

SHEEL NAGU, CHIEF JUSTICE

CM-16808-CWP-2025

Bhakra Beas Management Board Rules, 1974 and the Punjab
Reorganisation Act, 1966, filed by the State of Punjab, are taken on record as
Annexures A-1 and A-2, respectively.

Accordingly, **CM-16808-CWP-2025** is allowed.

CWP-23055-2025

1. This petition has been filed by the State of Punjab invoking writ as well as supervisory jurisdiction of this Court under Article 226 read with Article 227 of the Constitution, seeking quashment of Minutes of Technical Committee Meeting dated 23.04.2025 (Annexure P-12), letter dated 24.04.2025 (wrongly dated as 24.04.2024 in prayer clause of the petition) (Annexure P-15) which gives effect to resolution of the Technical Committee Meeting dated 23.04.2025, and Bhakra Beas Management Board (“BBMB”, for brevity) meeting dated 30.04.2025 (Annexure P-23). Further quashment has been sought of letter dated 03.05.2025 (Annexure P-28) containing Draft Minutes of 255th Special Meeting of BBMB held on 03.05.2025.

2. We have heard learned Advocate General, Punjab; learned senior counsel appearing on behalf of respondent – BBMB; learned Additional Solicitor General of India; and learned Additional Advocate General, Haryana.

3. The adjudication by this Court would be restricted to challenge to the Minutes of Technical Committee Meeting of BBMB dated 23.04.2025 (Annexure P-12), letter dated 24.04.2025 (Annexure P-15) giving effect to the said resolution of the Technical Committee Meeting dated 23.04.2025 and the consequential BBMB meeting dated 30.04.2025 (Annexure P-23).

4. Pertinently, on a similar issue as raised in this petition, this Court was earlier approached by BBMB in CWP-12858-2005, and two PILs registered as CWP-PIL-100-2025 and CWP-PIL-101-2025 were filed. All these three petitions were decided by a common order on 06.05.2025 vide Annexure P-29.



4.1 CWP-12858-2025 was filed by BBMB aggrieved by the alleged forceful taking over of control of operation and regulation of Nangal Dam and Lohand control Room water Regulation offices of BBMB, as such, a writ of mandamus was sought for removal of the police force belonging to the Government of Punjab.

4.2 CWP-PIL-100-2025 and CWP-PIL-101-2025 were filed by a public spirited person and Gram Panchayat, Matana, Fatehabad, respectively, essentially aggrieved by the alleged cause of non-release of sufficient quantities of water by BBMB to the State of Haryana. It is pertinent to point out that decisions of BBMB dated 23.04.2025, 24.04.2025 and 30.04.2025, which are assailed herein, were referred to in the said three petitions, which find reference in paragraphs and 6 of the common order dated 06.05.2025 (Annexure P-29).

5. In one of the aforesaid three petitions, i.e. CWP-PIL-101-2005, wherein BBMB was impleaded as respondent No.3, one of the prayers made was to the following effect :

“(iii) Direct Respondent No.3 to immediately release water (8500 Cusecs per day) in compliance of its decision dated 23.04.2025 (Annexure P-4)”

Therefore, one of the impugned orders in the instant petition, i.e. Minutes of Technical Committee Meeting dated 23.04.2025 (Annexure P-12), was also subject matter of challenge as Annexure P-4 in CWP-PIL-101-2025.

6. This Court vide common order passed on 06.05.2025 (Annexure P-29) passed in aforesaid three petitions, including CWP-PIL-101-2025, while declining to enter into merits of the matter in view of the limited technical

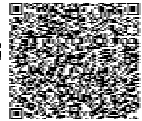


expertise available on the issue of sharing of waters between two States, passed the following order :-

“8. In the light of the aforesaid discussion and the limited expertise available to this Court in the subject of management of water between two or three States, this Court deems it appropriate to dispose of all these petitions in the following terms:-

- i) State of Punjab and any of its functionaries including police personnel are restrained from interfering in the day-to-day functioning, operation and regulation of the Bhakra Nangal Dam and Lohand control Room water Regulation offices managed by BBMB.*
- ii) However, the State of Punjab is always free to extend security to the Bhakra Nangal Dam and the personnel of BBMB as per law.*
- iii) State of Punjab is directed to abide by decision of the meeting held on 02.05.2025 under the Chairmanship of the Home Secretary to the Government of India.*
- iv) In case the State of Punjab is not agreeable to any decision taken by the Bhakra Beas Management Board, then it is free to invoke Explanation-II to Rule 7 of the 1974 Rules by making a representation to the Central Government through the Chairman of the BBMB, which if made, shall be decided by the Central Government, expeditiously.”*

7. From paragraph 8 (iv) of the said common order dated 06.05.2025, it is evident that it was directed that if the State of Punjab dissented from decision of the BBMB, it could represent to the Central Government under Rule 7 (Explanation – II) of the Bhakra Beas Management



Board Rules, 1974 (for brevity, “1974 Rules”), which for ready reference and convenience is re-produced below :-

“7. Decisions by the Board

All matters relating to incidental to or connected with, the functions of the Board shall be decided by a majority vote of members present and voting at the meeting of the Board and in case of an equality of votes, the Chairman shall have a second or casting vote.

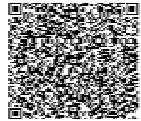
Provided that where with reference to any matter, the Chairman is satisfied that there is difference of opinion among the members on any question of policy or the rights of any of the participating State, the Chairman shall refer the matter to the Central Government who shall decide the same.

Explanation-I: *If any member raises in any meeting of the Board any point as to whether a question is a question of policy or whether any rights of the States concerned are involved in the consideration of a matter before the Board, a decision on the points so raised shall be given by the Chairman.*

Explanation-II: *When any member dissents from any decision so given by the Chairman, the State Government, which is represented by that member, may represent to the Central Government through the Chairman and thereupon that Government shall be given by the Chairman.”*

8. In the case at hand, the Minutes of Technical Committee Meeting dated 23.04.2025 (Annexure P-12) and the consequential resolution of the BBMB are under challenge.

9. Learned Advocate General of the State of Punjab contends with all the vehemence at his command that since decisions of the Technical



Committee and the BBMB are bereft of jurisdictional error, this Court, in the present petition, can have a re-look at the same issue raised earlier.

10. We are unable to subscribe to the argument of learned Advocate General of the State of Punjab, for the simple reason that since 1974 Rules framed under the Punjab Reorganisation Act, 1966, statutorily provide that in case any decision of BBMB/Chairman of BBMB is disputed by any of the two States, then the remedy would lie by making a representation to the Central Government.

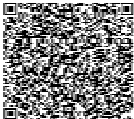
10.1 The argument of learned Advocate General of the State of Punjab is not acceptable to us, since we have already held in the earlier round of litigation in CWP-PIL-101-2025 that this Court is not equipped with technical expertise to go into nitty-gritty of the issue of sharing of waters between two warring States and since statutory Rules make available the avenue of making representation to the Central Government, it is safer and in the interest of both the States that the dissenting State should approach the Central Government.

10.2 More so, the Apex Court vide order dated 28.07.2025 (Annexure P-32) upheld the order dated 06.05.2025 (Annexure P-29) passed by this Court in earlier round of litigation by holding thus :-

“We are not inclined to interfere with the impugned orders passed by the High Court. Accordingly, the Special Leave Petitions are dismissed.

Any observation made in the impugned orders shall not effect any further decision that may be taken by any appropriate authority in appropriate proceedings.

Pending application(s). if any, shall stand disposed of.”



10.3 While dismissing Petition(s) for Special Leave to Appeal (C) No(s). 17473-17474/2025 on 28.07.2025, the Apex Court observed that any observation made in the impugned orders dated 06.05.2025 passed by this Court shall not effect any further decision that may be taken by any appropriate authority in appropriate proceedings.

10.4 The petitioner – State of Punjab has not challenged any further decision, but in the instant petition has sought quashment of the same Minutes of Technical Committee Meeting dated 23.04.2025 vide Annexure P-12, and the consequential resolution of BBMB dated 30.04.2025 vide Annexure P-23.

10.5 In the absence of any further proceeding having taken place or any further cause of action having arisen, the State of Punjab is estopped from raising the same issue, which has already attained finality upto the Apex Court.

11. Consequent upon the above discussion, this Court declines to enter into merits of the matter and relegates the State of Punjab to approach the Central Government by making an appropriate application.

12. Consequently, the petition stands dismissed with aforesaid liberty.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

April 22, 2026
narotam

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