

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

CPOWP no. 58/2019

Puran Chand

..... Applicant/Petitioner(s)

Through: None.

Vs

Vinod Gupta,
Chief Engineer Irrigation and Flood
Control and others

..... Respondent(s)

Through: None.

Coram: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE

ORDER
17.08.2022

1. The judgment passed by this Court on 23.03.2018 in OWP no. 561/2018 is yet to be complied with by the respondents.
2. On being put on notice, the Executive Engineer, Mahore Irrigation Division, Dharmari has filed statement of facts. In the statement of facts, the respondents have admitted that a sum of Rs. 351832/- is payable to the petitioner and the same has not been disbursed for want of funds. It is submitted by the Executive Engineer concerned that he has taken up the matter with the higher authorities for providing requisite funds in terms of his communication dated 19.04.2022 and the liability of the petitioner shall be discharged once he receives funds from the Administrative department.
3. The petitioner has not arrayed the Administrative Secretary, Irrigation and Flood Control as party respondent. However, having regard to the stand taken by the Executive Engineer, Irrigation Division Mahore, Dharmari, it is

necessary to array the Commissioner/Secretary to the Government, P.H.E Department of Irrigation and Flood Control (now Jal Shakti Department) as party respondent herein so that he is put on notice to explain as to why the communication of the Executive Engineer has not been responded to so far.

4. Accordingly, Mr. Shaleen Kabra, IAS, Commissioner/Secretary to Govt., Jal Shakti Department is arrayed as party respondent no. 2.

5. Issue notice. Returnable within four weeks. Requisite steps for service to be taken within two weeks.

6. List on 18.10.2022.

7. Registry to update the cause title.

Jammu
17.08.2022
Sahil T



(Sanjeev Kumar)
Judge