

ITEM NO.1721

COURT NO.14

SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

IA 65700/2024, in Original Suit (s). No(s). 6/1996

THE STATE OF HARYANA DEPARTMENT OF IRRIGATION
THE SECRETARY

Petitioner(s)

VERSUS

THE STATE OF PUNJAB & ANR.
IA No. 65700/2024 - CLARIFICATION/DIRECTION

Respondent(s)

Date : 29-04-2024 The matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE S.V.N. BHATTI
[IN CHAMBER]

For Parties :

Mr. Aditya Sharma, AOR

Mr. Shibu Devasia Olickal, AOR

Mr. Jagjit Singh Chhabra, AOR
Mr. Vinay K. Shailendra, Adv.
Mr. Ajay Pal, Adv.
Mr. Saksham Maheshwari, Adv.

Ms. Pinky Anand, Sr. Adv.
Mr. Ashish Rana, AOR
Mr. Anurag Kr. Singh, Adv.
Ms. Saudamini Sharma, Adv.
Mr. Samrat Pasricha, Adv.

Mr. Sarthak Karol, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. D. K. Devesh, AOR

UPON hearing the counsel the Court made the following
O R D E R

National Highways Authority of India (NHAI), a third party to the lis pending in Original Suit No. 6 of 1996 has moved the present application for the following reliefs:

“(i) Allow the instant application and permit the applicant to construct major bridge over the SYL canal

(RD.79000) at project highway chainage 8+010 (Village Pawala, District Sri Fatehgarh Sahib) and consequently direct Respondent State of Punjab through Water Resources Department to grant NOC for the same.

(ii) Pass such other and further orders as this Hon'ble Court may deem fit."

The reliefs have two facets viz. facilitate or permit the NHAI to construct bridges at a few places referred to in the application across SYL Canal.

The need for moving the Court, it is stated by the learned senior counsel appearing for NHAI, is that as a larger issue is pending before this Court, her client has been called upon by the contesting parties to commence or proceed with the construction of bridge(s) across SYL Canal by obtaining necessary orders from this Court.

Advocates appearing for the States of Haryana and Punjab do not dispute the national importance of the projects, now proposed to be implemented by NHAI. By referring to the oral instructions received, they inform the Court that the respective States may not have a serious objection on the prayers in their applications, however, a caveat is added by saying that considering the importance of the main lis in the Original Suit, they are desirous of placing the view of their respective party by way of a written statement on record.

This Court takes note of the importance of the project being implemented by NHAI and also the need for written instructions from both the States. Though a request has been made for granting three

weeks' time, this Court keeping in view the ensuing vacation, grants 10 days from today. The officers responsible in this behalf are directed to expedite and instruct their counsel and do the needful.

List the application on 06.05.2024.

(JATINDER KAUR)
P.S. to REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)