

ITEM NO.5

COURT NO.2

SECTION XVII

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

Original Suite No.6/1996

THE STATE OF HARYANA

Petitioner(s)

VERSUS

THE STATE OF PUNJAB & ANR.

Respondent(s)

Date : 11-07-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE AMITAVA ROY
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Mr. Jagdeep Dhankar, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Baldev Raj Mahajan, Adv. Gen.
Mr. Anish Kumar Gupta, AOR
Mr. R.K. Rajwanshi, Adv.
Mr. Chandra Shekhar Suman, Adv.
Mr. Avdesh Kumar Singh, Adv.
Ms. Priyanka Parida, Adv.
Mr. Uday Aditya Banerjee, Adv.
Ms. Deepshikha Bharati, Adv.

For Respondent(s) Mr. K.K. Venugopal, A.G.
Mr. B. Krishna Prasad, AOR

Mr. A.K. Ganguli, Sr. Adv.
Mr. R.S. Suri, Sr. Adv.
Mr. Atul Nanda, Adv. Gen.
Mr. Jagjit Singh Chhabra, AOR
Mr. Vinay K. Shailendra, Adv.
Ms. Apriyita Singh, Adv.
Ms. Uttara Babbar, Adv.
Mr. Balaji Subramunium, Adv.
Mr. Saksham Maheshwari, Adv.

Mr. C.S. Vaidyanathan, Sr. Adv.
Mr. S.S. Shamsbery, AAG
Mr. Vikramjit Banerjee, Adv.
Mr. Amit Sharma, Adv.
Mr. Ankit Raj, Adv.

Ms. Ruchi Kohli, Adv.

Ms. Binu Tamta, Adv.

Mr. S. Wasim A. Quadri, Adv.

Mr. Mukesh Kumar Maroria, AOR

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

Mr. K.K. Venugopal, learned Attorney General for India, after referring to the order dated 27th April, 2017, has submitted that the Central Government is trying its best to bring both the States to a reconciliatory stage so that the decree can be amicably executed. When we say 'amicably executed', it does not mean the execution in strict legal sense of the term. It will be open to the parties to agree to a situation as to how the decree can be worked out or an alternative can be thought of by consent of both the States.

The authorities of both the States must remember that a decree passed by this Court has to be respected and there has to be execution. If some difficulty has arisen, as propounded by Mr. A.K. Ganguli, learned senior counsel appearing for the State of Punjab and the parties are discussing, as submitted by the learned Attorney General for India that the Minister for Water Resources, River Development and Ganga Rejuvenation is having number of meetings with the competent authorities of the two States and there is possibility of further intervention by the higher authorities, as advised at present, we are inclined to grant some time. However, we reiterate our granting of time does not endow the State of Punjab with any kind of liberty to devour time and pave the path of procrastination, but, on the contrary, to take a stand of amiability and amicability so that the facilitator, that is, the Central Government can bring both the parties together to resolve the issue.

We may hasten to add that when the matter is *sub judice* before this Court and we have granted time to the Central Government to proceed with the settlement as some meetings have been held by the Central Government, we direct that there should be sustenance of peace in the States of Punjab and Haryana and it will be the obligation of the authorities of both the State Governments to see that there is no agitation whatsoever. Every citizen of this country must understand that when a proceeding is going on in a court, there cannot be any kind of agitation relating to the subject of the *lis*. Mr. Atul Nanda, learned Advocate General for the State of Punjab and Mr. Baldev Raj Mahajan, learned Advocate General for the State of Haryana, undertake that they will intimate the competent authorities of the States they represent.

Let the matter be listed on 7th September, 2017.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master