

ITEM NO.101

COURT NO.2

SECTION XVII-A

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Original Suit (s). No(s). 6/1996

THE STATE OF HARYANA  
DEPARTMENT OF IRRIGATION THE SECRETARY

Petitioner(s)

VERSUS

THE STATE OF PUNJAB & ANR.  
([ TO GO BEFORE THREE HON'BLE JUDGES ]  
IA No. 196825/2022 - APPLICATION FOR PERMISSION  
IA No. 87466/2020 - APPLICATION FOR PERMISSION  
IA No. 145682/2019 - INTERVENTION APPLICATION)

Respondent(s)

WITH  
W.P.(C) No. 455/2005 (PIL-W)

CONMT.PET.(C) No. 511/2004 In ORGNL.SUIT No. 6/1996 (XVII-A)

Date : 04-10-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE C.T. RAVIKUMAR  
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.  
Mr. Lokesh Sinhal, Sr. A.A.G.  
Mr. Aditya Sharma, AOR  
  
Mr. Shibu Devasia Olickal, AOR  
  
Mr. Dinesh Kumar Garg, AOR

For Respondent(s) Mrs. Aishwarya Bhati, A.S.G.  
Mr. Wasim Quadri, Adv.  
Mr. Rajat Nair, Adv.  
Ms. Swati Ghildiyal, Adv.  
Mr. Ankur Talwar, Adv.  
Mr. Ashok Panigrahi, Adv.  
Mr. Anandh Venkataramani, Adv.  
Ms. Vijayalakshi Venkataramani, Adv.  
Mr. Vinayak Mehrotra, Adv.  
Ms. Mansi Sood, Adv.  
Mr. Chitvan Singhal, Adv.  
Ms. Sonali Jain, Adv.  
Mr. Abhishek Kumar Pandey, Adv.  
Mr. Raman Yadav, Adv.

Mr. Kartikey Aggarwal, Adv.  
Mr. Arvind Kumar Sharma, AOR

Mr. M.L. Gaggar, Sr. Adv.  
Mr. R.K. Rathore, Adv.  
Mrs. Tanuj Bagga Sharma, Adv.  
Dr. M.K. Ravi, Adv.  
Mr. Kuldeep Singh, AOR

Mr. Rakesh Dwivedi, Sr. Adv.  
Mr. Mohan V. Katarki, Sr. Adv.  
Mr. Jagjit Singh Chhabra, AOR  
Mr. Vijay K. Shailendra, Adv.  
Mr. Ajay Pal, Adv.  
Mr. Saksham Maheshwari, Adv.

Mr. Shibu Devasia Olickal, AOR

Mr. Manish Singhvi, Sr. Adv.  
Mr. D. K. Devesh, AOR

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

We are concerned with the execution of a decree for construction of the Satluj-Yamuna Link Canal in the Punjab portion as Haryana has already constructed the canal. The land was acquired and construction was commenced even in Punjab though there may be difference in estimates to what extent construction has already been completed in Punjab.

The State of Punjab endeavoured to release the land to the farmers, which action has been stayed by this Court and Receiver appointed.

We would like the Union of India to survey the portion of the land of Punjab allocated for the project to ensure that the land is protected, as the Punjab Government could not have released the land,

their action having been stayed.

An estimate can also be made as to what is the extent of construction which has already been carried out in Punjab.

Learned counsel for the State of Punjab did endeavour to persuade us that with the passage of time, the availability of water has become less and thus, the share of Haryana being purportedly less and that can be satisfied by other measures. We may note that it has already been settled that the execution does not deal with the allocation of water.

In the meantime, the mediation process should be actively pursued by the Central Government.

We have asked for some information from the learned ASG who has assured that the information will be placed before the Court.

List on the first non-miscellaneous Tuesday in the month of January, 2024.

**IA No.196825/2022- FOR APPEAL UNDER XV RULE 5**

The parties to complete pleadings in the meantime, if not already done, and this application will also be taken up separately on the next date.

(ASHA SUNDRIYAL)  
ASTT. REGISTRAR CUM PS

(POONAM VAID)  
COURT MASTER (NSH)