



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CWP No.23756 of 2022
DATE OF DECISION : 5th May, 2025

Narinder Kaur Rai

.... Petitioner

Versus

State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE KULDEEP TIWARI

* * * *

Present : Mr. Lupil Gupta, Advocate;
Mr. Rahul, Advocate & Mr. Sandeep, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab
for respondents No.1, 4 to 7.

Mr. Shrey Goel, Advocate for respondent No.2-PSPCL.

Mr. Manpreet S. Dhaliwal, Advocate for respondent No.8.

* * * *

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition prayer is made for issuance of direction for removal of temporary wooden bridge constructed over the Bagha Rajbaha (Little Canal Kassi) in the area of village Gholia Khurd, Tehsil Nihal Singh Wala, District Moga.

2. The petitioner has approached this court with a prayer that the bridge has already outlived its life and is not safe for human or any other living entity to use it as it may lead to some untoward incident. He further submits that about 1000 feet from the instant bridge a new concrete bridge has already been constructed, therefore, even the necessity of this bridge is not there. In order to give quietus to the



dispute, as raised before this court, and to evaluate the real picture on the ground, this court by drawing the order dated 18.02.2025, directed the District Commissioner, Moga to conduct the safety audit of the bridge in question and to file its specific affidavit before this court and also to inform this court as to whether another bridge is available nearby. The relevant extract of the order dated 18.02.2025 is reproduced hereunder:

“The Deputy Commissioner, Moga, is directed to get conducted the safety audit of the bridge, in question, and thereupon, file his report by way of filing an affidavit, before this Court. The report shall also carry the necessity of constructing the temporary bridge, specifically, when another bridge is available nearby, as stated by the learned counsel for the petitioner.

The compliance of the directions (supra), positively be made within a period of one month from today.

List this matter on 2.04.2025.”

3. In deference to the direction (supra) issued by this court, a safety audit was conducted by the Committee constituted by the respondent No.3-Deputy Commissioner, Moga of the following persons:

- (i) Sub Divisional Magistrate, Nihal Singh Wala
- (ii) Executive Engineer, PWD (B&R), Moga
- (iii) Executive Engineer, Faridkot Canal & Ground Water Division, Faridkot
- (iv) Station House Officer, Nihal Singh Wala



4. The Committee has, after conducted the safety audit, has categorically observed that the wooden bridge exceeded its expected lifespan and has suffered serious wear and tear, even the iron girders are heavily rusted, compromising the strength and load bearing capacity. The current condition of the bridge makes it prone to collapse under excessive load or adverse weather conditions. The Committee also form that a concrete bridge (length 25 feet and breadth 26 feet) is also available on the 1250 feet downstream of the above mentioned bridge, and finally the Committee recommend to demolish/dismantle the wooden bridge in question. In view of this recommendation by the Committee, the respondent No.3 has also concurred and opined that the wooden bridge is required to be dismantled. Further, the wooden bridge has been temporarily closed for its use by general public.

5. On the strength of the affidavit (*supra*) the counsel for the petitioners submits that this court shall pass specific direction to dismantle the bridge forthwith, so that it may not cause any untoward incident.

6. At this stage, respondent No.8, as well as, the Gram Panchayat concerned submits that they have given a detailed representation to respondent No.3 and other persons for strengthening the existing wooden bridge or to construct a new bridge on the same place so as to facilitate the inhabitants of the village as this bridge was earlier used to have excess to their lands by the villagers from their houses.



7. From the facts above, there is no wrangle with regard to the safety of the bridge, as all the parties are concurrent that the bridge has lived its life, therefore, at this stage, this court deems it pass the hereinafter directions upon the respondent No.3:

i) In accordance with the safety audit he/she shall take final decision, so as to ensure that no untoward incident cause in future.

ii) He/she shall also take final decision on the representation filed by respondent No.8 and to evaluate the feasibility/requirement of constructing a concrete bridge on the site in question.

8. The aforesaid exercise shall be concluded within fifteen days from today.

9. The petition stands **disposed of** accordingly.

5th May, 2025
'raj'

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No