

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No.14300 of 2014 (O & M)
Date of decision:23.01.2015

Sarjit Singh

...Petitioner

Versus

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Shalender Mohan, Advocate,
for petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Ashok Verma, Advocate,
for respondent No.6.

Rajan Gupta, J. (oral)

Petitioner is aggrieved by order dated 11.07.2014, Annexure P-2,
passed by respondent No.2-Chief Canal Officer, Irrigation Department,
Sichai Bhawan, Panchkula. Operative part whereof reads as under:-

*“Sh. Sarjit Singh S/o sh. Amar Chand
resident of village Raman preferred an appeal against
the above decision in the court of the Chief Canal
Officer/BWS, Panchkula.*

*Appeal rejected being time barred.
CCO/BWS/Circle Hisar-I.*

According to learned counsel, the matter was decided by
Superintending Canal Officer on 16.06.2014. The Chief Canal Officer erred
in rejecting the appeal as barred by limitation. He prays that order,
Annexure P-10, be set aside and matter be remitted to the same authority
for a decision afresh.

Prayer has been opposed by learned counsel representing

respondents.

It is evident that the Superintending Canal Officer decided the case on 16.06.2014. It is, thus, inexplicable how respondent No.2-Chief Canal Officer came to the conclusion that the appeal filed before him is beyond limitation, besides, the order is non-speaking and cryptic.

Under the circumstances, order dated 11.07.2014, Annexure P-10, is set aside. Matter is remitted to respondent No.2-Chief Canal Officer, Panchkula, for a decision afresh after affording an opportunity of hearing to the parties.

The petition is allowed in these terms.

23.01.2015
sukhpreet

(RAJAN GUPTA)
JUDGE