

CWP No.20531 of 2014

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.20531 of 2014
Date of decision: 14.01.2015

Banwari Lal and another

....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?
- 2) To be referred to the Reporters or not ?
- 3) Whether the judgment should be reported in the Digest ?

Present: - Mr. Sanjeev Kr. Panwar, Advocate, for the petitioners.
Mr. Sandeep S. Mann, Sr. DAG, Haryana.
Mr. S.S. Dinarpur, Advocate, for respondents No.5 to 8.

PARAMJEET SINGH, J. (ORAL)

Instant writ petition under Articles 226/227 of the Constitution of India has been filed for quashing the order dated 01.09.2014 (Annexure P-3) passed by respondent No.2 – Chief Canal Officer, YWS (North), Irrigation & Water Resources Department, Haryana, whereby order dated 18.06.2014 (Annexure P-2) passed by respondent No.3 – Superintending Canal officer, Yamuna W/S Circle and order dated 20.01.2014 (Annexure P-1) passed by respondent No.4 – Divisional Canal Officer, Bhiwani W/S Division, have been set aside.

Brief facts of the case are that respondent No.5 – Sajjan s/o Juglal and other shareholders in RD-29680/TR Minor of village Talu moved an application before the Divisional Canal Officer for sanctioning

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of new outlet at RD-19700/L Talu Siwara Link Minor. After hearing the parties, demand of respondent No.5 and others was declined by DCO as well as SCO. Against the orders passed by DCO and SCO, respondent No.5 and others preferred appeal before the Chief Canal Officer, which has been accepted. Hence, this writ petition.

I need not narrate entire sequence of facts as preliminary objection has been raised by learned counsel for the respondents that notice of motion has been got issued by making a wrong statement that land of the petitioners falls on outlet No.22100-L. In para 2 of the reply filed by the State it is mentioned that petitioners are not the shareholders of land falling in RD 18500-L and 22100-L.

Notice of motion was issued believing the statement of the petitioners, which is now found to be apparently false and frivolous. In view of this, petitioners are not entitled to any relief.

At this stage, learned counsel for the petitioners wants to withdraw the writ petition.

Dismissed as withdrawn.

(Paramjeet Singh)
Judge

January 14, 2015
R.S.