

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

DATE OF DECISION: APRIL 06, 2015

Sukhwinder Singh and others

.....Petitioners

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASI

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

Present: Mr. Karanjeet Singh Brar, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASI, J. (ORAL)

It is the contention of counsel for the petitioners that the land of Villages Bahawal Bassi and Dhani Sucha Singh, Tehsil Abohar, District Fazilka is affected by water logging because of which no other crop except paddy can be sown. As per the provisions of Section 3 of the Punjab Preservation of Sub Soil Water Act, 2009, no farmer is permitted to sow nursery of paddy before the 10th day of May of the agricultural year or such other date, as may be notified by the State Government in the official gazette for any local area. The agricultural year is stated to commence from 16th day of June or on such other date as may be notified. Exemption can be granted from the said provisions as per the said Act and the petitioners, through the present writ petition, are claiming such exemption. In this

regard, representation dated 22.03.2015 (Annexure P-4) has been made by

them to the Deputy Commissioner, Fazilka and another representation dated 24.03.2015 (Annexure P-5) has been sent to the Tehsildar, Abohar but no further steps have been taken in this regard by the said authorities.

Counsel contends that the petitioners, at this stage, would be satisfied if a direction is issued to the the Deputy Commissioner, Fazilka-respondent No.3 to consider and decide the representation dated 24.03.2015 (Annexure P-5) filed by the petitioners, within some specified time.

In view of the statement made by the counsel for the petitioners and without going into the merit of the case or commenting thereon, the present writ petition is disposed of with directions to the Deputy Commissioner, Fazilka-respondent No.3 to consider and decide the representation dated 24.03.2015 (Annexure P-5) within a period of twenty days from the date of receipt of certified copy of this order. Decision so taken be conveyed to the petitioners forthwith.

A copy of this order be given *dasti* to counsel for the petitioners under the signatures of Special Secretary of this Court.

April 06, 2015
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE