

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CWP No.13262 of 2000
Date of decision:21.9.2016**

Kala Singh

...Petitioner

Versus

The Superintending Canal Officer, Patiala and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.H.S.Randhawa, Advocate for the petitioner.
Mr.Yatinder Sharma, Addl.A.G., Punjab.
Kr.Kuldeep Sanwal, Advocate for respondents No. 3 to 7.

RAMESHWAR SINGH MALIK, J. (Oral)

While referring to the order dated 21.6.1999 (Annexure P-3) passed by the Divisional Canal Officer, Patiala, learned counsel for the petitioner submits that since both the parties were getting proper irrigation from both the outlets in question, this seems to be reason that petitioner is no more interested in pursuing the present writ petition. He further submits that after the death of petitioner (Kala Singh), his legal representatives are not coming forward to pass on appropriate instructions to him. This also shows that legal representatives of the petitioner are no more interested in pursuing the instant writ petition.

Even on the merits of the case, it being a canal matter and in view of the above-said observations made by Divisional Canal Officer that the parties were getting proper irrigation from both the existing outlets, the impugned orders have not been found suffering from patent illegality or perversity.

In view of the above-said undisputed fact situation obtaining on the record of the present case, the instant writ petition stands disposed of.

However, on the request made by the learned counsel for the petitioner, liberty is granted to the legal representatives of the petitioner to move an appropriate application within a period of three months from the date of receipt of a certified copy of this order before this Court, in case necessity arises.

Disposed of, accordingly.

21.9.2016
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No