

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

**Civil Writ Petition No.22882 of 2011
Date of Decision: December 02, 2016**

Kartar Singh

...Petitioner

Versus

Chief Canal Officer, Haryana & Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: None for the petitioner.

Mr.Sandeep S. Mann, Sr.DAG, Haryana.

Mr.Madan Lal, Advocate, for respondent Nos.4 to 16.

RAMESHWAR SINGH MALIK, J.(Oral)

Instant writ petition is directed against the order dated 24.10.2011 (Annexure P-8) passed by Chief Canal Officer, Haryana, whereby appeal filed by the petitioner, was dismissed, upholding the orders passed by subordinate Canal Authorities, bifurcating outlet RD 11100-R Jamni Khera Minor into two outlets, another being outlet RD 10125-R Jamni Khera Minor.

Notice of motion was issued vide order dated 09.12.2011. However, there was no interim order. Respondents appeared and filed their reply.

Perusal of *zimni* orders would show that when the learned counsel for the petitioner was not putting appearance, case was adjourned sine-die, vide order dated 10.02.2014 which

reads as under:-

“Arguing counsel for the petitioner is not available and adjournment is prayed for on his behalf. This case has been repeatedly adjourned, most of the times on the request of counsel for the petitioner. Today again, similar request has been made on his behalf.

Adjourned sine-die.”

Thereafter, case was re-listed on 29.03.2016 but none appeared on behalf of the petitioner. Again on 11.05.2016 as well as 13.07.2016, none appeared on behalf of the petitioner. It seems that since there was no interim order and impugned orders passed by the respondent-Canal Authorities already stood implemented at the site, petitioner is no more interested in pursuing the present writ petition.

On merits, a careful perusal of the impugned orders would show that none of the impugned orders passed by the Canal Authorities suffered from any patent illegality or perversity. Further, no prejudice of any kind, whatsoever, has been caused to the petitioner by passing the impugned orders, warranting interference at the hands of this Court, while exercising its writ jurisdiction under Articles 226/227 of the Constitution of India.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that instant writ petition is wholly misconceived, bereft of merit and without any substance, thus, it must fail. No case for interference has been made out.

Resultantly, with the abovesaid observations made,
present writ petition stands dismissed, however, with no order as
to costs.

December 02, 2016
seema

(RAMESHWAR SINGH MALIK)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>