

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

CWP No.15361 of 2016 (O&M)

Date of decision:8.8.2016

Pritam Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Ajit Singh Sodhi, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

CM-9415-2016

Applicant seeks permission to place on record better site plan in place of Annexure P-1.

Application is allowed, as prayed for.

Office is directed to replace the already filed site plan Annexure P-1 with one filed today.

CM stands disposed of.

CWP No.15361 of 2016

Feeling aggrieved against long pendency of his statutory appeal, without there being any interim order, petitioner has approached this Court, seeking a writ in the nature of certiorari as well as mandamus.

Learned counsel for the petitioner, at the very outset, fairly states that since the order dated 09.07.2013 (Annexure P-3) is already under challenge before the Superintending Canal Officer, Ferozepur, he was not in a position to substantiate his arguments. He further submits that the alternate prayer made by the petitioner may be considered, directing the

Superintending Canal Officer, Eastern Canal Division, Canal Colony, Ferozepur, to decide the appeal dated 15.07.2013, filed by the petitioner, at an early date.

Having heard the learned counsel for the petitioner at some length and without expressing any opinion on the merits of the case, lest it should prejudice to the rights of either of the parties, the present writ petition is disposed of with a direction to the Superintending Canal Officer, Canal Colony, Ferozepur, to consider and decide the appeal dated 15.07.2013, filed by the petitioner against the above said order dated 09.07.2013, passed by Divisional Canal Officer, Eastern Division, Canal Colony, Ferozepur, at an early date in any case within a period of six months from the date of receipt of a certified copy of this order.

Keeping in view the totality of the facts and circumstances of the case and with a view to ensure that statutory appeal of the petitioner may not be rendered infructuous, it is also ordered that till the statutory appeal of the petitioner is decided by the Superintending Canal Officer, Eastern Division, Canal Colony, Ferozepur, operation of the order dated 09.07.2013, passed by Divisional Canal Officer, Eastern Division, Canal Colony, Ferozepur, which is under appeal before the Superintending Canal Officer, shall remain stayed.

With the above-said observations made and directions issued, the instant writ petition stands disposed of.

8.8.2016
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No