

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

**CWP No.17526 of 2016
Date of decision:29.8.2016**

Tara Chand and others

...Petitioners

Versus

Superintending Canal Officer, Ferozepur Canal Circle, Ferozepur & ors

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.C.M.Munjial, Advocate for the petitioners.

RAMESHWAR SINGH MALIK, J. (Oral)

Learned counsel for the petitioners, at the very outset, fairly states that he has got the clear instructions from the petitioners not to press this petition on merits, at this stage.

However, he submits that after implementation of impugned orders and within a period of six months thereafter, if the share of canal water of the petitioners reduces drastically, causing prejudice to the irrigation facility of the petitioners, canal authorities may be directed to reassess the situation after six months and pass an appropriate orders, after hearing both the parties.

Having heard the learned counsel for the petitioners and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, the instant writ petition is disposed of, with a direction to the Divisional Canal Officer, Abohar Canal Division-respondent No.2, that after six months from the implementation of the orders, he shall reassess the situation including all the technical aspects thereof, i.e. Command Statement and SFL etc. If after careful examination of the matter, respondent No.2 comes to the conclusion that a prejudice is being caused to the irrigation facility of the petitioners, he shall grant an opportunity of being heard to all the concerned share holders and pass an appropriate order, strictly in accordance with law.

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

29.8.2016
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No