

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

**Civil Writ Petition No. 25279 of 2016
Date of Decision: 7.12.2016**

Gurdeep Singh

.....Petitioner

Vs.

Superintending Canal Officer, Ferozepur and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Rajesh Bhatija, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioner has approached this Court, by way of instant writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of Mandamus.

Learned counsel for the petitioner submits that although the revision petition filed by the petitioner before respondent No.1 is pending consideration for the last more than three years, yet even the stay application has not been considered so far and on the other hand, respondent No.3 is bent upon to get the order dated 30.7.2013 (Annexure P-2) implemented against the petitioner. He submits that if the order (Annexure P-2) is implemented, very purpose of filing revision petition shall be defeated. He further submits that petitioner will be satisfied in case respondent No.1 is directed to consider and decide revision petition filed by the petitioner and till then, order dated 30.7.2013 (Annexure P-2), may be ordered to be kept in abeyance.

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Having heard the learned counsel for the petitioner and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, present writ petition is disposed of, with a direction to the Superintending Canal Officer, Ferozepur Canal Circle, Ferozepur-respondent No.1 to consider and decide the revision of the petitioner filed against the order dated 30.7.2013 (Annexure P-2) at an early date, by passing an appropriate order thereon, strictly in accordance with law. The Superintending Canal Officer, Ferozepur Canal Circle, Ferozepur-respondent No.1 is also directed to consider and decide the stay matter without any further loss of time, by passing an appropriate order, strictly in accordance with law, but in any case within a period of one month from the date of receipt of certified copy of this order.

However, keeping in view the peculiar facts and circumstances of the case noted hereinabove and also to ensure that revision petition filed by the petitioner may not render infructuous, order dated 30.7.2013 (Annexure P-2), which is under challenge in the revision petition before respondent No.1, shall be kept in abeyance till the appropriate order is passed by respondent No.1.

With the abovesaid observations made and directions issued, present petition stands disposed of.

(RAMESHWAR SINGH MALIK)
JUDGE

7.12.2016
Ak Sharma

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No