

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.18364 of 2017
Date of Decision: 18.08.2017

Bhagwana

....Petitioner

Vs.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Raman Chawla, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

Learned counsel for the petitioner, *inter alia*, contends that the revision petition under Section 20(3) of the Haryana Canal and Drainage Act, 1974 [for short 'the Act'] was filed before the Superintending Canal Officer, Siwani but his office is not accepting the same and nothing has been given in writing in this regard.

Notice of motion.

At this stage, Mr.Saurav Mohunta, DAG, Haryana has put in appearance and accepts notice on behalf of respondents No.1 to 4.

Notice in this petition is not issued to respondents No.5 & 6 because they are not the aggrieved party so far.

Learned counsel for the petitioner has submitted that under Section 20(3) of the Act, the Chief Canal Officer or the Superintending Canal Officer may suo motu call for the record of any case pending before or disposed of by any subordinate authority, for the purpose of satisfying

himself about the legality or propriety of any proceedings or of any order made therein and may pass such order in relation thereto as he may think fit provided that no such order shall be made without affording an opportunity of hearing to the other party.

Learned counsel for respondents No.1 to 4 has submitted that the Superintending Canal Officer has such powers under Section 20(3) of the Act.

Be that as it may, believing the statement made by counsel for the petitioner that the revision petition dated 4.8.2017 was filed which was not accepted by the office of the Superintending Canal Officer, the present petition is hereby disposed of with a direction to the Superintending Canal Officer, Siwani and Water Services Circle, Bhiwani to entertain the revision petition filed by the petitioner, which is attached as Annexure P-7 with this petition and decide the same in accordance with law.

18.08.2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*