

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

CWP No.24520 of 2015
Date of decision : 24.01.2017

Bhajan Singh

...Petitioner

Versus

Superintending Canal Officer, Faridkot Canal Circle and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. K. S. Sidhu, Advocate for the petitioner.

Ms. Monica Chhibber Sharma, DAG, Punjab.

Mr. A.S. Bedi, Advocate for respondent No.3.

Mr. Surinder Garg, Advocate for respondent No.4.

AMIT RAWAL, J. (Oral)

Objection by the private respondents regarding maintainability of the petition in view of the provision of Section 30-FF of the Northern India Canal and Drainage Act, 1873, has been taken.

Writ petition is pending since 2015, I treat this writ petition to be an representation/application to be entertained by the Divisional Canal Officer.

Ms. Monica Chhibber Sharma, DAG, Punjab, assured the Court that in case aforementioned application accompanied by the writ petition, is filed before the Divisional Canal Officer, he shall take decision within a period of one month from the date of receipt of certified copy of this order.

Mr. K.S. Sidhu, learned counsel for the petitioner seeks liberty to approach Divisional Canal Officer as per the provision of Section 30-FF of Northern India Canal and Drainage Act, 1873.

Petitioner is permitted to place on record all the documents regarding the enquiry done by the Divisional Canal Officer so that DCO may pass appropriate order.

Divisional Canal Officer shall take into consideration all the factors including the factum of any delay tactics followed by any of the parties.

With the aforementioned observations, present writ petition stands disposed of.

24.01.2017

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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No