

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

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*CWP No.24800 of 2017*

*Date of Decision: November 01, 2017*

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Chunni Lal

. . . . Petitioner

*Vs.*

State of Haryana and others

. . . . Respondents

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***CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN***

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Present: Mr.Jagraj Singh Khiva, Advocate,  
for the petitioner.

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***RAKESH KUMAR JAIN, J.***

This petition is filed for seeking a writ in the nature of mandamus to direct the official respondents to implement the order dated 3.4.2017 passed by respondent No.5 pursuant to the order passed by this Court on 1.2.2017.

The petitioner had approached this Court by way of a writ bearing CWP No.1811 of 2017 titled as “Chunni Lal and others Vs. State of Haryana and others”, which was disposed of on 1.2.2017 by converting the same into a representation, directing the respondents to decide the same after affording opportunity and by passing a speaking order within a period of one month. Since the said direction was not complied with, therefore, the petitioner filed COCP No.1978 of 2017, which was withdrawn on 8.9.2017 because on 3.4.2017, the Divisional Canal Officer, Pundri, Water Services Division, Kaithal decided the representation of the petitioner as directed vide order dated 01.02.2017. The petitioner has now prayed that the order dated 3.4.2017 may be implemented. But from the perusal of the order dated

3.4.2017 it transpires that the Divisional Canal Officer has passed an order of rejection observing thus:

*“In view of the facts explained above, the demand of the shareholders for providing outlet at RD 3600-L of Badhana Minor is not feasible on technical grounds, as per chakbandi rules and facts explained ibid. Outlet at RD 3600-L of Badhana Minor cannot be allowed at site unless the remodelling of already existing lined water course is done at site. Hence the demand of the applicants for providing a new outlet at RD 3600-L of Badhana Minor is hereby rejected.”*

Since the Divisional Canal Officer has rejected the application of splitting RD 3600-L Badhana Minor, therefore, there is no question of the implementation of the order dated 3.4.2017. Hence, the present petition is hereby dismissed.

NOVEMBER 01, 2017

*Vivek*

(RAKESH KUMAR JAIN)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*