

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

CWP-27692-2017 (O&M)
Date of decision: 08.12.2017

Buta Singh and others

... Petitioners

vs

State of Punjab & ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Anupam Singla, Advocate
for the petitioners.

Mr. Ankit Midha, Advocate
for the caveators.

Rakesh Kumar Jain, J(Oral)

Learned counsel for the petitioners has submitted that the Appellate Court has passed the order on the basis of written compromise to which all the petitioners are not the parties.

Faced with this argument, learned counsel for the private respondents has submitted that the impugned order dated 14.09.2017 (Annexure P-7) passed by respondent No.2 – Superintending Canal Officer may be set aside and the matter may be remanded back to him to decide afresh on merits.

Accordingly, the impugned order is set aside and the matter is remanded back to respondent No.2 – SCO, Patiala to decide the dispute between the parties afresh after giving them adequate opportunity of hearing.

Parties are directed to appear before respondent No.2 – SCO, Patiala on 14.12.2017.

Till then, the parties shall maintain status quo. It is made clear

that the status quo would be maintained till the appearance of the parties before respondent No.2, who would consider the application for stay in accordance with law without being influenced by the order passed by this Court.

08.12.2017
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(RAKESH KUMAR JAIN)
JUDGE

1. Whether speaking/non-speaking? Yes
2. Whether reportable? Yes/No