

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Writ Petition No.8647 of 2017
Date of Decision: April 26, 2017

Sanjay & others

...Petitioners

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

Present: Mr.Shalender Mohan, Advocate,
for the petitioners.

AMIT RAWAL, J. (Oral)

The contention of the learned counsel for the petitioners is that against the order of the Divisional Canal Officer, remedy of appeal lies before the Superintending Canal Officer under Section 20 (3) of the Haryana Canal Drainage Act, 1974 and the petition produced for setting-aside the order of the DCO, was not entertained. In support of his contention, relies upon the decisions of the Coordinate Bench of this Court in CWP No.22108 of 2016 (Sher Singh Versus State of Haryana and others), decided on 21.12.2016 and this Court in CWP No.26191 of 2016 (Ram Niwas Versus State of Haryana & others), decided on 17.1.2017

Notice of motion.

Mr.Rajbir Singh, AAG, Haryana, who is present in Court, accepts notice on behalf of the State.

The present writ petition is disposed of in terms of the aforementioned decisions.

In case the petitioners avail the remedy of appeal and seek interim order, there shall be no question of limitation and the Superintending Canal Officer shall decide the interim relief within a period of one week from the date of receipt of the same.

April 26, 2017
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No