

CWP-16999-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-16999-2018

Date of Decision: 13<sup>th</sup> July, 2018

Bharat Kumar & another

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. A.P. Kaushal, Advocate,  
for the petitioners.

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AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the learned counsel for the petitioners that despite the sanction of water outlet in favour of the petitioners and the dismissal of the challenge thereto in CWP No.18955 of 2004 preferred by the contesting respondents, order dated 05.11.1998 (Annexure P-2), as passed by the Divisional Canal Officer, Abohar Canal Division, Abohar, District Fazilka-respondent No.3, has not been given effect to. Highlighting this aspect, petitioners had approached the Divisional Canal Officer, Abohar Canal Division, Abohar, District Fazilka, by moving an application dated 24.04.2018 (Annexure P-4) and notice through counsel dated 31.05.2018 (Annexure P-5) but without any response.

Counsel submits that the petitioners, at this stage, would be satisfied if a direction is issued to the Divisional Canal Officer, Abohar Canal Division, Abohar, District Fazilka-respondent No.3 to consider the representation and legal notice (Annexure P-4 and P-5 respectively) of the

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petitioners and take action thereon to implement the order dated 05.11.1998 (Annexure P-2) as passed by the said authority within some specified time.

Without going into merits of the case or commenting thereon, the present writ petition is disposed of with direction to the Divisional Canal Officer, Abohar Canal Division, Abohar, District Fazilka-respondent No.3 to consider the representation and legal notice (Annexure P-4 and P-5 respectively) of the petitioners and pass a speaking order thereon. Needful be done within a period of four months from the date of receipt of certified copy of this order.

13<sup>th</sup> July, 2018  
*Harish*

( AUGUSTINE GEORGE MASIH )  
JUDGE

|                            |        |
|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |