

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

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**CIVIL WRIT PETITION NO.18507 OF 2018
DATE OF DECISION: JULY 31, 2018**

Rajesh Kumar

.....Petitioner

VERSUS

State of Haryana and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. S. S. Sahu, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of learned counsel for the petitioner that initially on an application submitted by the petitioner, the water course, which was dismantled by the private respondents, was restored by the Sub Divisional Canal Officer, Bhattu, District Fatehabad vide order dated 23.08.2016 (Annexure P-1), which order was upheld by the Divisional Canal Officer and the Superintending Canal Officer. The *khal*, after restoration, is running at present and, therefore, an application under Section 17 of the Haryana Canal and Drainage Act, 1974 has been filed before the Divisional Canal Officer on 27.03.2018 (Annexure P-5) but no decision thereon has been taken till date.

Counsel contends that the petitioner, at this stage, would be satisfied if a direction is issued to the Divisional Canal Officer, Fatehabad-respondent No.4, to consider and decide the application of the petitioner at

an early date with regard to permanent restoration of the *khal*.

Without going into the merits of the case and commenting thereon, the present writ petition is disposed of with a direction to the Divisional Canal Officer, Fatehabad-respondent No.4 to consider the application of the petitioner dated 27.03.2018 (Annexure P-5) and pass an appropriate order in accordance with law at the earliest but in any case within a period of four months from the date of receipt of certified copy of the order.

July 31, 2018
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

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