

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

Sr. No.114

**CWP No.1412 of 2020 (O&M)
DATE OF DECISION: February 24, 2020**

SANIOP

...PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Abhimanyu Singh, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

CM-2522-CWP-2020

Through this application, the applicant wishes to place on record Annexure A-1.

The application is allowed as prayed for. Annexure A-1 is taken on record.

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The grievance of the petitioner is that she was not heard in the application for restoration of a demolished watercourse moved by respondent No.4.

2. Learned counsel for the petitioner submits that respondent No.4-Mir Singh filed an application for restoration of a watercourse and notice was only issued to respondent No.6. The said watercourse was passing through the land of the petitioner and thus, she should also have been heard.

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3. Vide the impugned orders, the demolished watercourse has been ordered to be restored. Counsel for the petitioner was asked whether petitioner objects to the restoration of the watercourse passing through her land, to which, the answer is that the petitioner admits that there was a watercourse running and she has no objection to its restoration, however, since the law requires that person through whose land the watercourse was passing should be heard, therefore, the impugned orders are illegal.
4. The argument cannot be accepted. Grant of a futile opportunity of hearing would not serve any purpose. Admittedly, the petitioner is not aggrieved with the order of restoration and thus, the filing of the writ petition is misconceived.
5. Accordingly, the present writ petition is dismissed.

February 24, 2020
Ankur

(SUDHIR MITTAL)
JUDGE

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