

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

**CWP No.17002 of 2020
Date of Decision: 14.10.2020**

Ashish

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Tarurag Gaur, Advocate,
for the petitioner.

RITU BAHRI, J. (ORAL)

Petitioner is seeking direction to respondent Nos.2 to 4 to restore the sanction water course on his land in view of the order dated 28.09.2016 (Annexure P-2) passed by respondent No.2 and order dated 10.06.2019 (Annexure P-3) passed by respondent No.4, as he is unable to irrigate his fields.

Learned counsel for the petitioner refers to the order dated 28.09.2016 (Annexure P-2), whereby before the Superintending Canal Officer, Bhakra Water Services, Circle No.1, Hisar, a mutual decision was taken by the parties, as per which, Sheela wife of Hem Pal was to provide a water course along the path for the irrigation of land of respondent-Ashish son of Raj Pal (petitioner herein). Now, the respondents have obstructed the sanctioned water course. Learned counsel for the petitioner further refers to the order dated 10.06.2019 (Annexure P-3), whereby respondent No.4-Sub Divisional Canal Officer has again restored the sanctioned water course as respondent Nos. 5 and 6 had obstructed the same.

Grievance of the petitioner is that despite the orders dated 28.09.2016 and 10.06.2019 (Annexures P-2 and P-3), he is unable to irrigate his fields again as respondent Nos.5 and 6 are creating obstructions. With regard to his grievance, petitioner has made a detailed representation dated 31.08.2020 (Annexure P-14), but no action has been taken thereon till date.

Notice of motion.

On the asking of the Court, Mr. Hitesh Pandit, Addl. A.G., Haryana, accepts notice on behalf of respondent-State.

Without expressing any opinion on the merits of the case, this petition is disposed of by giving direction to respondent No.4-Sub Divisional Canal Officer to look into the representation dated 31.08.2020 (Annexure P-14) and pass a speaking order thereon in accordance with law after considering the orders dated 28.09.2016 and 10.06.2019 (Annexures P-2 and P-3). This exercise be completed within a period of four weeks from the date of receipt of certified copy of this order.

14.10.2020
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No