

CWP No.9634 of 2021

Date of Decision : 27.05.2021

Sanjeev Kumar and others

...Petitioners

Versus

Superintending Canal Officer, Ferozepur
and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Ravi Gakhar, Advocate for Mr. C.M. Munjal, Advocate for the petitioners.
 Mr. Aditya Sharda, AAG, Punjab for respondent No.1.
 Mr. Rai Singh Chauhan, Advocate for respondent Nos.3 & 4.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. On 11.05.2021, the following order was passed:-

“ Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Learned counsel contends that despite the petitioners having filed an appeal (Annexure P-2) dated 01.04.2021 and application for stay of the same date, before respondent No.1 against order (Annexure P-1) dated 13.11.2018 passed by respondent No.2, the appeal as well as application for stay are not being listed for decision whereas the Divisional Canal Officer is bent upon executing order (Annexure P-1) dated 13.11.2008.

Ms. Lavanya Paul, Asstt. AG, Punjab, puts in appearance on behalf of respondent Nos.1 & 2 and requests for 02 weeks' time to obtain instructions and to file reply.

Issue notice to respondent Nos.3 & 4 for 27.05.2021.

Status quo be maintained, in the meantime."

3. Today, learned State Counsel on instructions from respondent No.1 states that the appeal, as well as application for stay would be decided within 01 week from today and till such time, that decision is taken on the appeal as well as application for stay, status quo would be maintained.

4. The same satisfies learned counsel for the petitioners.

5. Accordingly, the writ petition is *disposed of* by directing respondent No.1 to decide the appeal as well as the application for stay within a period of 01 week from today and to maintain status quo as it exists on date in the meantime. Copy of the order passed on the application for stay as also in the appeal be supplied to the petitioner and in case, the same is adverse to the interest of the petitioner, the same be not acted upon for a period of 01 week thereafter to enable the petitioner to take out appropriate proceedings, in accordance with law, if so advised.

(B.S. Walia)
Judge

27.05.2021

'Rajneesh/Amit

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>