

CWP-17282-2021

Date of Decision: 24.11.2021

Ram Pal Singh and others

....Petitioners

VS

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Abhimanyu Singh, Advocate
for the petitioners

Mr. Sandeep S. Mann, Addl. A.G. Haryana

SUDHIR MITTAL, J. (Oral)

The petitioners are aggrieved because application filed by respondent No. 6 for transfer of 21.97 acres to RD No. 16146/R, Khanak Minor of Village Ratera has been allowed. Appeal and revision preferred by the petitioners have failed.

Learned counsel for the petitioners has argued that earlier respondent No. 6 has filed an application for transfer of 22.30 acres to the same outlet i.e. RD No. 16146/R. The said application was dismissed and appeal also failed. There was no change in situation and, thus, the Courts below were in error in allowing the application.

A perusal of order dated 21.07.2020 passed by the Superintending Canal Officer shows that reason for allowing the transfer is that the FSL at RD No. 16146/R Khanak Minor is higher than that at RD No. 22750/R Khanak Minor. The land of respondent No. 6 is also situated close to RD No. 16146/R. These reasons have not shown to be erroneous in any manner. Simply because an earlier order of refusal was passed, the present application was not liable to be rejected.

In view of the above, the writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

24.11.2021
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Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No