

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

Sr. No.116

Civil Writ Petition No.3470 of 2022

Date of Decision : March 21, 2022

Raja Ram and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Atul Lakhanpal, Senior Advocate with
Mr. Rajwant Singh Chahal, Advocate,
for the petitioners.

Mr. Rajneesh Chadwal, AAG, Haryana.

SUDHIR MITTAL, J. (ORAL)

The petitioners are aggrieved with the order dated 22.04.2021 whereby warabandi of Moga (outlet) No.40575/T.F, Khajoori Rajwaha, Village Jandli Kalan has been changed. The order of change of warabandi has been passed by the Deputy Collector, Tohana, Water Services Division, Tohana.

The petitioners have not been given any turn of water even though prior to the change they had a turn of water at Sr. No.23.

Learned State counsel had been directed to get instructions in this matter as it had been submitted on behalf of the petitioners that the impugned order was passed behind their back and could not be appealed against within the limitation prescribed.

Upon instructions, learned State counsel has submitted that the land of the petitioners is joint with Smt. Somati and Netram son of Bhima.

The said persons have been given a naka and thus, the petitioners don't need to be given a separate naka. It is also submitted that the order is appealable.

Keeping in view the controversy involved, the writ petition is disposed of with a direction to the petitioners to file an appeal against the impugned order. Objection of limitation shall not be raised if the said appeal is filed two weeks from today. The Appellate Court is directed to decide the same as expeditiously as possible and in accordance with law by passing a speaking order. Till the decision of the stay matter by the Appellate Court, the order of change of warabandi dated 22.04.2021 shall not be implemented if it has not already been implemented.

March 21, 2022

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No