

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

Sr. No.131

Civil Writ Petition No.9092 of 2022

Date of Decision : May 09, 2022

Talwinderbir Singh and others

...Petitioners

Versus

Divisional Canal Officer, Abohar Canal Division, Abohar, District Fazilka
and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Baltej Singh Sidhu, Senior Advocate with
Mr. Satveer Singh Badal, Advocate,
for the petitioners.

SUDHIR MITTAL, J. (ORAL)

On an application filed by the private respondents for change in turn of water, the relief was granted by the Deputy Collector. Against this order, statutory appeal has been filed in which ex parte stay was granted vide order dated 21.04.2022. The same has been vacated vide order dated 22.04.2022 only on the ground that the office brought to the notice of the concerned officer that a caveat had been filed in the case. It is submitted that the ex parte interim stay was granted till the first hearing of the case and thus, vacation of the same without notice to the petitioners was illegal.

Notice of motion.

Mr. Arun K. Kaundal, DAG, Punjab accepts notice on behalf of respondent No.1 and waives service.

Mr. Peeush Gagneja, Advocate who is on caveat accepts notice on behalf of respondents No.2 & 3 and waives service.

Learned counsel for the private respondents submits that the first respondent may be directed to decide the pending appeal within a time bound manner.

I have been informed that the next date of hearing in the appeal is 10.05.2022. Thus, the writ petition is disposed of with a direction to respondent No.1 to decide the pending appeal within two weeks from the date of receipt of a certified copy of this order. Till then, order of stay granted on 21.04.2022 shall continue to operate.

May 09, 2022
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No