

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(113)

CWP-4042-2023

Date of decision: - 28.02.2023

Tehal Singh

....Petitioner

Versus

Superintending Canal Officer and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Peeush Gagneja, Advocate,
for the petitioner.

Mr. Ferry Sofat, Additional Advocate General, Punjab
for respondents No.1 and 2.

VIKAS BAHL, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent No.1-Superintending Canal Officer, Ferozepur Canal Circle to hear the appeal dated 02.02.2023 (Annexure P-2) as well as to take a decision with regard to grant of stay in the said appeal, which has been prayed in the appeal.

Learned counsel for the petitioner has submitted that against the order dated 11.01.2023, the petitioner has filed an appeal dated 02.02.2023 (P-2) before respondent No.1 and has also prayed for a grant of stay, but in the said appeal neither a date has been given nor has it been taken up for a preliminary hearing. Learned counsel for the petitioner has further submitted that the petitioner would be satisfied in case the present

writ petition is disposed of with a direction to respondent No.1 to consider the said appeal dated 02.02.2023 (P-3) alongwith the stay application for preliminary hearing, as expeditiously as possible, preferably, within a time frame.

Learned State counsel has submitted that in case, the said appeal has been filed by the petitioner, then, the same would be considered for preliminary hearing by respondent No.1 as expeditiously as possible and in any case, within a period of one month from the date of receipt of copy of this order.

Keeping in view the above-said facts and circumstances, the present writ petition is disposed of with a direction to respondent No.1 to consider the appeal dated 02.02.2023 (Annexure P-2) alongwith the application for stay for preliminary hearing, as expeditiously as possible, preferably, within a period of one month from the date of receipt of certified copy of this order.

February 28, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No