

CWP-10939-2023

Date of decision: 19.05.2023

Rajesh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. R.S. Mamli, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana, for respondent Nos.1 to 3.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari, mandamus or in any other nature of certiorari for quashing the order dated 02.08.2022 (Annexure P-1) passed by the Divisional Canal Officer, Fatehabad and order dated 17.02.2023 (Annexure P-3) passed by the Superintending Canal Officer.

2. Learned State Counsel has submitted that against the order passed by the Superintending Canal Officer, revision is maintainable under Section 20(3) of the Haryana Canal and Drainage Act, 1974 and thus, the petitioner has an alternative remedy whereas in para 11 of the writ petition, it has been mentioned that the petitioner has no other remedy of revision or appeal.

3. Learned counsel for the petitioner has submitted that in view of the above stand taken by learned State Counsel, he seeks permission of this Court to withdraw the present Civil Writ Petition with liberty to file a revision petition before the Chief Canal Officer.

4. In view of the above, the present Civil Writ Petition is dismissed as withdrawn with liberty aforesaid.

19.05.2023**(VIKAS BAHL)
JUDGE**

Pawan

Whether speaking/reasoned:- Yes/No**Whether reportable:- Yes/No**