

119

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

CWP No.14699 of 2023

Date of Decision: 14.07.2023

Daya Ram and another

..... Petitioners

versus

**Superintending Canal Officer, Ferozepur Canal Circle,
Ferozepur and others**

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. C. M. Munjal, Advocate
for the petitioners.

RAJESH BHARDWAJ J. (ORAL)

Present petition has been filed under Articles 226/227 of the Constitution of India for issuance of the writ in the nature of certiorari for quashing the order dated 12.04.2013 (Annexure P-1) passed by respondent No.3 and order dated 13.12.2022 (Annexure P-3) passed by respondent No.1.

Learned counsel for the petitioners has vehemently contended that the learned Superintending Canal Officer has passed the impugned order totally in violation of the principles of natural justice as the petitioners were not even present at the time of decision of the appeal filed by respondent No.4. He submits that against the same, the petitioners have already filed an application under Rule 99 of the Northern India Canal Act as the order has been passed at the back of the petitioners. He submits that applications dated 19.12.2022 (Annexures P-4 and P-5) were filed by the petitioners but till date the same have not been decided. He fairly

submits that this petition be disposed of with a direction to respondent No.2 to decide the applications filed by the petitioners in a time bound manner.

This Court finds the prayer made by learned counsel for the petitioners to be genuine one.

Notice of motion to respondents No.1 to 3 only.

On asking of the Court, Mr. Charanpreet Singh, AAG, Punjab appears and accepts notice on behalf of respondents No.1 to 3.

After hearing learned counsel for both the parties, the present petition stands disposed of with a direction to respondent No.1 to decide the applications (Annexures P-4 and P-5) filed by both the petitioners, which are pending adjudication since the last about six months, expeditiously in accordance with law preferably within a period of three months from today.

(RAJESH BHARDWAJ)
JUDGE

14.07.2023
rittu

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