

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

209

CWP-23774-2015

Date of Decision: 24.02.2023

Balwinder Singh and others

..... Petitioners

Versus

Superintending Canal Officer and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vijay Sharma, Advocate
for the petitioners.

Mr. Rohit Ahuja, DAG, Punjab
for respondent No.1.

Mr. Sandeep Khunger, Advocate and
Mr. Saksham Khunger, Advocate
for respondents No.2 to 12, 14 to 16 and 18 to 39.

VIKAS BAHL, J (ORAL)

This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the order dated 08.10.2015 (Annexure P-5) passed by respondent No.1.

On 07.02.2023, this Court had passed the following order:-

“Learned counsel for the respondents has pointed out that in the present case, remand order is dated 08.10.2015 and no stay has been granted and thus, the present writ petition in all likelihood has been rendered infructuous.

Learned counsel for the parties pray for an adjournment to get instructions in the matter.

Adjourned to 24.02.2023.

To be taken up at 3.00 p.m”.

Learned counsel for the private respondents has submitted that instead of adjudicating the present matter, it would be in the interest of all the parties that the Divisional Canal Officer to whom the matter has been remanded by the Superintending Canal Officer, decides the case expeditiously and in a time bound manner.

Learned counsel for the petitioners has submitted that since the application was moved by the petitioners and the matter is pending since 2011, thus the Divisional Canal Officer be directed to decide the case after remand, within a period of three months.

Keeping in view the above facts and circumstances of the case, the present petition is disposed of with a direction to Divisional Canal Officer to decide the case pending before it after remand from the Superintending Canal Officer, vide order dated 08.10.2015, as expeditiously as possible and preferably, within a period of three months, from the date of receipt of certified copy of the present order.

It is made clear that this Court has not made any observations on the merits of the case and it would be open for both the parties to raise all the pleas in accordance with law.

24.02.2023*D.Bansal***(VIKAS BAHL)
JUDGE**

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