

111

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-942-2023 (O&M)
Date of decision: 21.07.2023

KULDIP SINGH SODHI

...Appellant

VERSUS

SUPERINTENDING CANAL OFFICER AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present:- Mr. Surinder Pal Singh Tinna, Advocate
for the appellant.

JAISHREE THAKUR, J. (Oral)

The instant appeal has been filed seeking to impugn order dated 13.07.2023, passed by the learned Single Judge in CWP No.14584 of 2023, whereby the writ petition of the appellant has been disposed of with a direction reproduced hereinbelow:-

“After hearing counsel for the parties, this Court is convinced that petitioner has already filed an appeal and he has a right to be heard for redressal of his grievances. Hence, respondent No.1 is directed to take up the appeal and hear the parties on the stay application within two weeks from today and decide the same (stay application) expeditiously.”

The only prayer made by learned counsel for the appellant herein is that the appeal was filed within time along with the stay application, however, despite the said appeal having been filed, no actual date has been given. Even

the order disposing of the writ petition does not fix an actual date and has left it open for the matter to be decided within a period of two weeks.

He would submit that in the meantime, all attempts are being made to illegally carve out the water course from his land and help of the police has already been sought and the process is underway.

Notice of motion.

Mr. Deepanjay Sharma, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents-State and would point out that the learned Single Judge has already given a period of two weeks for the matter to be decided.

We have heard learned counsel for the parties and propose to dispose of this appeal by giving a direction for the matter to be listed for hearing on 25.07.2023. The stay application to be taken up for hearing on the said date even if the appeal cannot be decided. Till such time the said application is decided, status quo be maintained as on date.

Consequently, the instant appeal stands disposed of.

(JAISHREE THAKUR)
JUDGE

(SUKHVINDER KAUR)
JUDGE

21.07.2023
Chetan Thakur

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No