

2023:PHHC:146293

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

**CWP No.25902 of 2023
Date of decision : 17.11.2023**

Kiran Bala **..... Petitioner**

Versus

State of Haryana and others **..... Respondents**

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. Suman Devi, Advocate for
Mr. Saurabh Bajaj, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for issuance of directions to the respondent-authorities to remove the Dhanora Escape (drainage of waste and dirty water) carved from the agricultural land of the petitioner which is illegally and arbitrary from the agriculture land comprised in Muraba No.10, Killa No.13, 14/2, 17, 18, 22, 23, 24 and Muraba No.26 of Killa No.2 and 3/1 of village Japti Chhapra where no drainage could have been carved out as it was to be run from village Kalsora as per the revenue record and further as per the record of Canal Authorities. Further prayer has been made for directing the respondents to restore the agriculture states of the petitioner's land which was illegally changed by the respondent-authorities in an most illegal and arbitrary manner by violating all the principles of natural justice and equity and to release the damages to the petitioner for illegally and arbitrary using the land of the petitioner and further bifurcating the petitioner's land and make an totally waste for an agriculture purpose or to initiate an immediate enquiry of the aforesaid

illegal conduct and violation on the part of respondent-authorities against the officers responsible for the aforesaid illegal conduct by the respondent.

Learned counsel for the petitioner has submitted before this Court that the petitioner has already filed an application dated 05.06.2023 (Annexure P-4) for the redressal of his grievance before the Executive Engineer, Indri Water Services Board, Karnal but no action has been taken on the same till date. She further submits that she will be satisfied if a direction is issued to respondent No.3 to decide the same in a time bound manner.

Notice of motion to the official respondents at this stage.

On asking of the Court, Ms. Upasna Dhawan, AAG, Haryana appears and accepts notice on behalf of the respondents.

A perusal of file shows that application dated 05.06.2023 (Annexure P-4) was filed before the Executive Engineer, Indri Water Services Board, Karnal who is not a party in the present petition.

In view of the above position, it is ordered that in case the petitioner files a detailed representation before respondent No.3 within a period of one week from today, then respondent No.3-Sub Divisional Canal Officer, Indri, District Karnal is directed to decide the same in accordance with law within a period of two months from the date of filing of the representation.

Petition stands disposed of accordingly.

17.11.2023

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(RAJESH BHARDWAJ)
JUDGE

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