

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

**CWP No.4100 of 2024
Date of Decision: 22.02.2024**

Chinderpal @ Shinder Pal
..... Petitioner

Versus

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

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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

RAJESH BHARDWAJ, J. (ORAL)

Present writ petition has been filed for quashing the application (Annexure P-8) and the proceedings commenced thereon as the matter is already subjudice before this Court in CWP No.25898 of 2018 titled as Kashmir Lal and another vs. Superintending Canal Officer and others. Further prayer has been made for directing respondent No.2 not to pass any order till the matter is finally decided by this Court in CWP-25898-2018 which is fixed for 10.04.2024.

Learned counsel for the petitioner has contended that the private respondents have filed an application for change of alignment of water course at Outlet No.44270/L, Daulatpura Minor, village Daulatpura, Ziledari Jandwala. He submits that the grievances raised in the application filed by the private respondents are already pending adjudication before this Court in CWP No.25898-2018. He has submitted

that the petitioner has specifically averred the same before the respondent authorities but they have not considered the same and are proceeding with the application filed by the private respondents.

Notice of motion to the official respondents at this stage.

On asking of the Court, Mr. Navneet Singh, Sr. DAG, Punjab appears and accepts notice on behalf of the respondents-State.

Heard.

In view of the above, the present petition is disposed of with a direction of respondent No.2 i.e. Divisional Canal Officer, Abohar Canal Division, Abohar, Fazilka to take into consideration the contentions raised by learned counsel for the petitioner in the present petition and deal with the same in accordance with law. Respondent No.2 would carry out the proceeding in the application by specifically dealing with the contentions raised in this petition.

(RAJESH BHARDWAJ)
JUDGE

22.02.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No