



CWP-19746-2021(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19746-2021 (O&M)
Date of Decision: May 07, 2024

Balkaran Singh and othersPetitioners
Versus

Superintending Canal Officer and others
.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Harminster Singh, Advocate
for the petitioners.

Mr.Navneet Singh, Sr.DAG, Punjab with
Mr.Rajan Shingra, Executive Engineer, Harike Canal Division,
Ferozepur.
.....

RAJESH BHARDWAJ, J.(ORAL)

Petitioner has approached this Court praying for quashing of impugned order dated 14.10.2020, Annexure P/5, passed by Divisional Canal Officer, (respondent No.2), whereby he has ordered for splitting of Outlet No.30920/R 2-R Golewala Miner and for setting up of a new outlet at Burji 44470/R 3-R, Golewala Miner for an area ad measuring 115/114 acres and order dated 16.03.2020, Annexure P-7, passed by Superintending Canal Officer (respondent No.1) whereby appeal filed by the petitioner has been dismissed by passing a totally non-speaking and cryptic order.

Pursuant to the order passed by this Court on 20.02.2024, Mr.Rajan Shingra, Executive Engineer, Harike Canal Division, Ferozepur, is present in Court. The Court has interacted with the Officer.

Learned counsel for the petitioner has reiterated his argument



and has drawn attention of this Court to the site plan, which is annexed as Annexure P-1. He submits that his land has been bifurcated by new arrangement as left portion of his land as depicted in the map is not included in the new outlet.

The Officer present in Court has fairly submitted that this demand was not raised by the petitioner at the relevant time. However, he submits that if any request is made in this regard, the same would be assessed and solution of the same would also be checked on the basis of command statement.

After hearing learned counsel for the parties and in view of the statement made by the Officer present in Court, the present petition is disposed of with a direction to the petitioner to move an appropriate application before respondent No.2 for redressal of his grievances within two weeks from today and if the same is filed within stipulated time, the respondent/authorities are directed to look into it and pass a speaking order on the same by 31.07.2024, after hearing the petitioner, within two months from the date of receipt of the application. Respondent No.2 is also directed to convey the order to the petitioner.

May 07, 2024
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |