

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

CWP-10796-2023

Date of decision : 21.03.2024

Hari Parkash

.....Petitioner

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Mohinder Pal, Advocate
for the petitioner.

Mr. Rajneesh Chadwal, A.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for issuance of a writ in the nature of certiorari quashing of the impugned order dated 04.01.2023 (Annexure P-20) passed by the respondent No.2 vide which the revision filed by the present petition has been dismissed without considering the revenue record regarding the disputed water course not shown in Aksh Sijra dated 22.07.2021 (Annexure P-9) and concealing the fact of Non-irrigated land holding of the deceased father of respondents No.5 to 7, which transferred as Varasat in their names as per Jamabandi for the year 2000-2001 after the death of their father as it is i.e. Non-Irrigated (Barani) as shown in Jamabandi record (Annexure P-19). Hence, the action of the respondents treating the same as irrigated on the basis of unlawfully prepared warabandi since the year 1993 with an illicit motive to dug a fresh watercourse through the Petitioner's land is illegal and as such the impugned order dated 04.01.2023 passed by the respondent No.2 (Annexure P-20) is arbitrary, against the law and liable to be set aside.

Further prayer has been made for quashing of order dated 25.01.2022 (Annexure P-15) passed by respondent No.4; order dated 19.07.2022 (Annexure P-17) passed by respondent No.3 ignoring the facts on record, rather based on concealed manipulated and false facts of respondents No.5 to 7 and to stay the impugned order dated 04.01.2023 (Annexure P-20) passed by respondent No.2 during the pendency of the present petition.

Learned counsel for the petitioner has submitted that the underground pipeline was laid down with the mutual consent of both the parties and thus, the grievances have been redressed. He submits that in view of the same, the present petition has become infructuous and the same may be disposed of as such.

In view of the above, the present petition is disposed of as having been rendered infructuous.

(RAJESH BHARDWAJ)
JUDGE

21.03.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No