



CWP-12961-2024

-1-

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

CWP-12961-2024

Date of Decision: 28.05.2024

Suman Kumar

..... Petitioner

Versus

Divisional Canal Officer and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Judgepreet Singh Warring, Advocate, for the petitioner.

Rajesh Bhardwaj, J.

1. Prayer in the present petition is for quashing the impugned telegram/communication bearing No.4049 dated 29.04.2024 (Annexure P-4), issued by respondent No.1 to Zileadar, Jandwala regarding implementation of the order dated 09.02.2024 (Annexure P-1) passed by respondent No.2, despite of the fact that the order dated 09.02.2024 (Annexure P-1) has not been in existence, being earlier stayed and lateron, remanded by respondent No.1, himself vide telegram/communication bearing No.1865 dated 23.02.2024 (Annexure P-2) and order dated 26.04.2024 (Annexure P-3) respectively, being arbitrary, unconstitutional, against the provision of the Northern India Canal and Drainage Act, 1873 as well against the principle of natural justice. Further prayer has been made to day the operation of the impugned telegram/communication bearing No.4049 dated 29.04.2024 (Annexure P-4) issued by respondent No.1.

2. At the outset, on perusal of the impugned telegram



CWP-12961-2024

-2-

/communication dated 29.04.2024, it is found that the same has been passed by the Divisional Canal Officer, Abohar, wherein, he has directed the Zileadar to prepare the warabandi as per order dated 09.02.2024. This communication is from the Divisional Canal Officer, Abohar to Zileadar and hence, this Court finds the present petition to be not maintainable being pre-mature.

3. Thus, the present petition is disposed of with liberty to the petitioner to approach the competent authority for the redressal of his grievance. In case the petitioner avails his remedy before the competent authority, the competent authority would deal with the same expeditiously in accordance with law.

28.05.2024
sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No