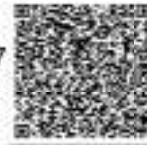


2024.PHHC:118997



240

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

**CWP-10935-2017 (O&M)
Date of Decision: 10.09.2024**

Satbir

..... Petitioner

Versus

Chief Canal Officer/BWSU, Irrigation and W.R. Department, Haryana and
others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Baljinder Singh, Advocate
for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

Mr. Jitender K. Sehrawat, Advocate
for respondents No.5 and 6.

HARSH BUNGER J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of Certiorari to set aside impugned order dated 30.12.2016 (Annexure P-18) passed by the learned Divisional Canal Officer, Hisar Water Services Division, Hisar.

2. Learned counsel for the petitioner, at the outset, submits that the order impugned in the present writ petition, i.e. order dated 30.12.2016 (Annexure P-18), is appealable before the concerned Superintending Canal Officer; therefore, he may be permitted to withdraw this writ petition with

liberty to the petitioner to avail his remedy of appeal against the aforesaid impugned order dated 30.12.2016 (Annexure P-18).

3. Learned counsel for respondents No.5 and 6 does not raise any serious dispute to the aforesaid course of action.

4. Keeping in view the aforesaid stands taken by learned counsel for the parties, the present writ petition is dismissed as withdrawn with liberty to the petitioner to avail his remedy of appeal against the impugned order dated 30.12.2016 (Annexure P-18), in accordance with law.

4.1 In case any such appeal is filed by the petitioner within a period of three weeks from today then the concerned Appellate Authority shall consider the issue of delay by taking into account the fact that the matter had been pending before this Court.

5. All pending application(s), if any, shall also stand closed.

10.09.2024

Apurva

(HARSH BUNGER)

JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No