

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-8127-CWP-2025 in/and
CWP-14317-2025 (O/M)
Date of decision : 26.05.2025

Simarjit Kaur and another

..... Petitioners

Versus

Superintending Canal Officer-cum-Superintending Engineer
Ferozepur Canal, Ferozepur and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. S.P.S. Tinna, Ms. Rinky Gupta, Advocates
for applicant-petitioners.

Mr. Nirmaljit Singh Diwana, Senior DAG Punjab.

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HARSH BUNGER, J. (ORAL)

CM-8127-CWP-2025

This is an application filed under Section 151 CPC on behalf of applicant-petitioner for preponing the date of hearing of main case, which is fixed for 15.07.2025.

Notice in application.

Mr. Nirmaljit Singh Diwana, Senior DAG Punjab accepts notice in application on behalf of official respondents No. 1 to 3 and submits that he has no objection, if the instant application is allowed and the hearing of main case is preponed.

For the reasons mentioned in application and no objection from learned State counsel, the instant application is allowed and the writ petition is taken on board today itself for hearing.

Application is accordingly disposed of.

CWP-14317-2025 (O/M)

1. Prayer in the instant civil writ petition filed under Articles 226/227 of Constitution of India is for issuance of a writ in the nature of certiorari for quashing the ex-parte order dated 29.07.2024 (Annexure P-8), passed by Superintending Canal Officer-cum-Superintending Engineer, Ferozepur Canal Circle, Ferozepur.

2. At the outset, learned counsel for petitioners submits that he may be permitted to withdraw this petition with liberty to the petitioners to submit a fresh application for extra supply of water, in terms of Rule 9 of Rules For Extra Supply of Canal Water For Gardens and Orchards, 1946 (in short '1946 Rules'). However, he prays that time bound directions be issued for the decision of such fresh application to be submitted by petitioners.

3. Learned State counsel, who appears in pursuance to an advance copy of the writ petition having been served upon the State, has not raised any objection to the aforesaid course of action to be adopted.

4. Keeping in view the submissions made by learned counsels, the present writ petition is dismissed as withdrawn.

4.1 However in case petitioners submit a fresh application under Rule 9 of 1946 Rules, within three weeks from today, the same shall be considered and final decision thereon be rendered by the competent authority within three weeks from the date when such fresh application is submitted by the petitioner.

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

(HARSH BUNGER)
JUDGE

26.05.2025
sjks

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