



CWP-16385-2023 (O&M) *along with*
CWP-15550-2023 (O&M)

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207 (2 cases)

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

Date of Decision: 25.08.2025

(I) CWP-16385-2023 (O&M)

Dharminder Kumar and others

..... Petitioners

Versus

Superintending Canal Officer, Ferozepur and others

..... Respondents

(II) CWP-15550-2023 (O&M)

Raj Kumar and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. A.K. Khunger, Advocate
for the petitioners (in CWP-16385-2023 and
for respondents No.3 to 5 (in CWP-15550-2023).

Mr. Harpreet Singh, AAG, Punjab.

Mr. Raj Kumar Bhatia, Advocate
for the petitioners (in CWP-15550-2023) and
for respondents No.4 to 6 (in CWP-16385-2023).

HARSH BUNGER J. (ORAL)

This order shall dispose of two writ petitions, bearing CWP-16385-2023 and CWP-15550-2023 as they both arise out of same order(s) passed by Canal Authorities.



**CWP-16385-2023 (O&M) *along with*
CWP-15550-2023 (O&M)**

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1.1 The writ petition (CWP-16385-2023) has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking issuance of writ in the nature of Certiorari for setting aside order dated 20.12.2022 (Annexure P-4) passed by the Deputy Collector, Ferozpur whereby the prayer of respondents No.4 to 6 for sanctioning additional *nakkas* has been allowed. A further prayer has been made for setting aside order dated 08.02.2023 (Annexure P-6) passed by the Divisional Canal Officer, Ferozpur and order dated 18.05.2023 (Annexure P-8) passed by the Superintending Canal Officer, Ferozpur whereby an appeal and revision filed by the petitioners against order dated 20.12.2022 (Annexure P-4) has been dismissed respectively.

1.2 The writ petition (CWP-15550-2023) has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking issuance of writ in the nature of Certiorari for setting aside order dated 18.05.2023 (Annexure P-6) passed by the Superintending Canal Officer, Ferozpur.

2. During the course of hearing, it is not disputed that the petitioners as well as the private respondents in both the writ petitions are aggrieved against the same order dated 18.05.2023 passed by the Superintending Canal Officer and they pray that the said order be set aside and the matter be remitted to the concerned Superintending Canal Officer for deciding the matter afresh after affording due opportunity of hearing to all the concerned parties and by passing a speaking order.

3. Learned State counsel does not raise any serious objection to the aforesaid course of action being adopted.

4. Keeping in view the broad consensus arrived at between respective counsels; for the respective parties, the present writ petitions (CWP-16385-2023 and CWP-15550-2023) are disposed of by setting aside



**CWP-16385-2023 (O&M) along with
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order dated 18.05.2023 passed by learned Superintending Canal Officer, Ferozpur and the matter is remitted to the concerned/competent Superintending Canal Officer; for deciding the matter afresh after affording due opportunity of hearing to all concerned parties and by passing a speaking order.

5. Parties are directed to appear before the Superintending Canal Officer, Ferozpur on 08.09.2025.

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

7. Photocopy of this order be placed on the file of another connected matter.

25.08.2025

Himani

**(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No