

(2021) 10 RAJ CK 0037

In the Rajasthan High Court

Case No : S.B. Civil Writ Petition No. 624 Of 2021

Jasveer Singh And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 18-10-2021

Acts Referred:

Citation : (2021) 10 RAJ CK 0037

Hon'ble Judges : Dinesh Mehta, J

Bench : Single Bench

Advocate : Sanjeet Purohit, Saloni Malpani, Abhilasha Kumbhat

Final Decision : Disposed Of

Judgement

Dinesh Mehta, J

1. Mr. Purohit, learned counsel for the petitioners, submits that Coordinate Bench of this Court vide its judgment dated 22.09.2021 in SB Civil Writ Petition No.12612/2020 : Kulveer Singh & Ors. Vs. State of Rajasthan & Ors, has allowed the writ petition and remanded the matter back to the Executive Engineer to pass fresh order in accordance with law.

2. The operative portion of the order dated 22.09.2021 reads thus :

"In that view of the matter, this writ petition is allowed. The order dated 15.11.2017 passed by the Executive Engineer as well as order dated 17.07.2020 passed by the Superintendent Engineer are quashed and set aside and the matter is remanded back to Executive Engineer, Water Resources, South Division, Sir Ganganagar for deciding the matter afresh, within a period of one month from the date of receipt of certified copy of this order, after affording opportunity of hearing to all the affected persons."

3. Ms. Saloni Malpani, learned counsel for the respondents, is not in a position to dispute the aforesaid position of facts and law.

4. In view of the above, the present writ petition is also, therefore, allowed in the same terms.
5. The impugned order dated 15.11.2017 (Annex.5) and order dated 17.07.2020 (Annex.7) are hereby quashed and set aside.
6. The matter is remanded back to Executive Engineer, Water Resources, South Division, Sri Ganganagar for deciding the matter afresh, within a period of one month from the date of receipt of certified copy of this order, after affording opportunity of hearing to all the affected persons.
7. Stay application too stands disposed of accordingly.