

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

Sr. No. 132

**LPA-1592-2026 (O&M)
Date of decision: 08.07.2026**

Karamjit Kaur through Her GPA Kewal Singh Appellant

VERSUS

Superintending Canal Officer, Patiala and others Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

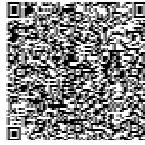
Present: Mr. Sherry K. Singla, Advocate, for the appellant.

Mr. Amit Kumar Goyal, Addl. AG, Punjab.

SUVIR SEHGAL, J. (Oral)

1. This appeal has been preferred under Clause X of the Letters Patent impugning judgement dated 4th May 2026 passed by a learned Single Judge, whereby, a writ petition challenging orders passed by the statutory canal authorities was dismissed.

2. Succinctly stated, appellant, who is residing in Canada, filed an application dated 8th May 2017 (Annexure P-1) through her GPA holder seeking a change in the alignment of a consolidated watercourse running through her agricultural fields. Appellant's grievance is that the existing straight alignment of watercourse has bifurcated her land holding causing obstacle in agricultural cultivation and movement of farming equipment. In the first round of statutory proceedings, Divisional Canal Officer (DCO), Faridkot vide order dated 5th April 2023 (Annexure P-2), permitted realignment but on an appeal preferred by the private respondents,

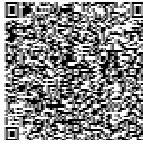


Superintendent Canal Officer (SCO), Ludhiana vide order dated 16th August 2024 (Annexure P-3) remanded the proceedings to the DCO with a direction to ascertain as to whether the watercourse was an established murababandi channel and to pass a reasoned order after giving an effective opportunity of hearing to both the parties. Upon remand, DCO re-examined the layout plan and field realities. By fresh order passed on 27th February 2025 (Annexure P-4), he rejected appellant's application and directed continuation of the original murababandi. This order was affirmed in appeal by the SCO vide order dated 8th August 2025 (Annexure P-6). Aggrieved by these orders, appellant moved this Court by filing a writ petition which has been dismissed vide the impugned judgment dated 04.05.2026.

3. Counsel for the appellant has argued that the writ Court as well as the canal authorities have ignored the provisions of Section 30-B of the Northern India Canal & Drainage Act, 1873. It is his argument that alignment had already been temporarily implemented at the site by the Zildar on 4th July 2023 (Annexure P-8) without causing any material prejudice to the down-stream cosharers. Counsel has emphasised that the appellant is prepared to bear the entire financial burden of shifting, dismantling and laying the newly proposed watercourse channel.

4. We have considered the arguments addressed by counsel for the appellant besides examining the documents which form part of the paper book.

5. Undisputed factual position is that the watercourse in question is not a temporary channel but a standard, sanctioned murabbabandi



watercourse preserved since the consolidation operations in the village which were done decades earlier. Revenue and field maps show its continuous existence on a straight path alongside the old borders. Records verify that the watercourse serves multiple down-stream shareholders especially those situated at the tail end of the channel including the private respondents. A perusal of the site plan, Annexure P-9, indicates that the existing watercourse traces a direct and unobstructed linear line. On the other hand, realignment sought by the appellant would forcibly introduce sharp bends in the water distribution pathway which would diminish the velocity and disrupt uninterrupted and smooth flow of water. As a consequence, shareholders located on the tail end of the water channel would face severe irrigation loss.

6. Statutory canal authorities are equipped with technical field expertise to evaluate alignments, flow of canal water, requirements of individual shareholders, spot situation etc. and their decisions are not to be lightly interfered with by the High Court in exercise of its extraordinary writ jurisdiction under Article 226 of the Constitution of India. The only test to be applied is as to whether their decisions have been arrived at after granting all the affected parties a sufficient opportunity of hearing and the decisions are aimed at ensuring better irrigation facilities. Reliance in this regard can be placed upon the Division Benches of this Court in **Shyam Sundar vs. Superintending Canal Officer, Ferozepur, 2001 (4) RCR (civil) 35** as well as **Mohinder Singh and others vs. State of Punjab and others, 2012 (67) RCR (civil) 760**. This Court does not find any jurisdictional error,



perversity or irregularity in the concurrent findings of facts recorded by the administrative authorities as upheld by the learned Single Judge. Individual convenience has to yield to the larger collective requirement of the shareholders in seamless agricultural irrigation. As a result, this letter patent appeal sans merit and is hereby dismissed.

7. Pending miscellaneous application(s), if any, also stands disposed of.

(SUVIR SEHGAL)
JUDGE

(DEEPINDER SINGH NALWA)
JUDGE

08.07.2026
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No