

**CWP-19162-2012,
CWP-23012-2012 and
CWP-8084-2013**

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

Date of Decision: 28.03.2016

1. CWP-19162-2012

Kulwinder Kaur and another

... Petitioner(s)

Versus

The Superintending Canal Officer, Ferozepur and others

... Respondent(s)

2. CWP-23012-2012

Gurvinder Singh and another

... Petitioner(s)

Versus

The Superintending Canal Officer, Ferozepur and others

... Respondent(s)

AND

3. CWP-8084-2013

Jasveer Singh and others

... Petitioner(s)

Versus

The Superintending Canal Officer, Ferozepur and others

... Respondent(s)

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**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

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| 1) Whether Reporters of the local papers may be allowed to see the judgment ?. | YES |
| 2) To be referred to the Reporters or not ?. | YES |
| 3) Whether the judgment should be reported in the Digest ? | YES |

Present: Mr. B.S.Sidhu, Advocate,
for the petitioner(s).

Mr. S. S.Chandumajra, Addl. A. G. Punjab.

Mr. J.S.Brar, Advocate,
for respondent No.4.

Paramjeet Singh Dhaliwal, J.

The above mentioned writ petitions bearing CWP Nos.19162-2012, 23012 of 2012 and 8084 of 2013 have been heard together. All the above mentioned writ petitions are being disposed of by a common judgment as common questions of fact and law are involved in all the petitions.

All the writ petitions have been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the order dated 18.07.2012 (Annexure P-7) passed by respondent No.1-Superintending Canal Officer. Besides this, a prayer for issuance of a writ in the nature of certiorari has been made in CWP-8084-2013 for setting aside the order dated 26.03.2013 (Annexure P-9) passed by respondent No.1-Superintending Canal Officer whereby process for acquisition of land has been initiated. Learned counsel for

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the petitioners has referred to the facts in CWP-19162-2012.

Succinctly, the facts relevant for disposal of the writ petition are to the effect that respondent No.5 and others filed application before respondent No.2-Divisional Canal Officer for extension of Suhelewala Minor from R.D No.10930 to RD No.45500 and for sanction of tail of minor at RD No.45500 so that fields belonging to village Suhelewala, Chak Dhab Khushal Joian, Jandwala, Chak Panjkohi, Chak Kaberwala, Chak Gulam Rasul Wala, Chak Balochan Wala and Bahmni Wala, could be irrigated. On receipt of the application, respondent No.2 referred the matter to the subordinate canal authorities i.e. Zildar, Junior Engineer and Sub Divisional Officer, who examined the matter and sent the report that length of Suhelewala Minor from RD No.10930 be extended to RD No.45500. The site plan (Annexure P-1) of proposed extension of Suhelewala Minor upto RD No.45500 has been prepared. Vide order dated 19.12.2008 (Annexure P-2), respondent No.2 ordered for extension of Suhelewala Minor upto RD No.45500. Against that, some of the farmers filed appeal before respondent No.1 who remanded the case to respondent No.2-Divisional Canal Officer vide order dated 14.07.2009 (Annexure P-3) to consider the case afresh regarding the extension and alignment of proposed minor. Thereafter, respondent No.2-Divisional Canal Officer, vide order dated 30.09.2009 (Annexure P-9) approved the scheme and ordered extension of Suhelewala Minor from RD No.10930

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to RD No.45500. Against that, Smt. Kulwinder Kaur preferred appeal before respondent No.1-Superintending Canal Officer which was dismissed vide order dated 04.05.2011 (Annexure P-5). Feeling aggrieved, the petitioners and many other shareholders filed CWP Nos.10686, 22767, 23884 of 2011 and 1911 and 3761 of 2012 which were disposed of vide common judgment dated 28.03.2012 (Annexure P-6) whereby matter was remanded to respondent No.1-Superintending Canal Officer with a direction to justify his order by referring to the available data and as to whether provisions of Sections 20 or 30-A of the Northern India Canal and Drainage Act, 1873 (for brevity, 'the Act') would apply. In pursuance of the order passed by this Court, respondent No.1 again considered the matter and dismissed the appeals preferred by the petitioners vide impugned order dated 18.07.2012 (Annexure P-7) and upheld the order dated 30.09.2009 (Annexure P-9) passed by respondent No.2-Divisional Canal Officer whereby scheme of extension of Suhelewala Minor from RD No10930 to RD No.45530 has been sanctioned. Hence, this writ petition.

I have heard learned counsel for the parties and perused the record.

Learned counsel for the petitioners vehemently contended that scope of Section 30-A of the Act is limited to watercourse only and reference to the provisions of Section 30-A of the Act has been made.

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Learned counsel further contended that the impugned order passed by the canal authority is illegal, erroneous, without jurisdiction and against the provisions of the Act. Vide order dated 28.03.2012 (Annexure P-6), this Court directed respondent No.1 to decide as to whether provisions of Sections 20 or 30-A of the Act would apply. No finding has been given by respondent No.1 in this regard. The canal authorities have no power to sanction a new minor and they can only deal with the already existing watercourse at that place, therefore, the scheme prepared and proposed under Section 30-A of the Act is not sustainable, rather is without jurisdiction. The land has been acquired for the extension of Suhelewala Minor in pursuance of notification dated 05.04.2011. In any circumstance, the minor sought to be extended cannot be considered as watercourse. Learned counsel further contended that there is a difference between canal/minor and watercourse. The canal/minor is maintained by the State Government whereas watercourse is not maintained at the costs of the State Government. The farmers who have made application for extension of Suhelewala Minor, were not the shareholders, some of the petitioners have constructed their houses/kothis and if land is acquired, they will have to demolish their residential houses. The private respondents have been getting canal irrigation for the last so many years from Kalewala Minor and the proposed extension of Suhelewala Minor will be just adjacent to Kalewala Minor. There is no need for the

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proposed minor as almost 40 acres of land will be required for extension of Suhelewala Minor. In support of his contentions, learned counsel relied upon *Kundan Lal vs. The Divisional Canal Officer and Ors. (1969) 71 PLR 162.*

Per contra, learned State counsel vehemently opposed the contentions of learned counsel for the petitioners and contended that it is the function of the experts to examine the feasibility of extension, re-alignment of the existing minor/canal etc. After considering the fact that land of number of villagers, is not being irrigated, extension of Suhelewala Minor has been proposed. Learned State counsel further contended that if Suhelewala Minor is extended, it will become a source of irrigation for the farmers of six villages namely Bahmani Wala, Chak Balocha Wala, Chak Ghulam Rasul Wala, Chak Kabar Wala, Chak Panj Kohi and Jand Wala Johia and reference to site plan (Annexure R-3) has been made. Learned State counsel further contended that water is life-line of the farmers and the petitioners cannot object to the same. The authorities concerned after considering various aspects framed the draft scheme which has been published and opportunity of hearing has been given to each and every affected person and after considering the same, recommendation for extension of proposed minor have been made.

Learned counsel for respondent Nos.3 and 4 vehemently opposed the contentions of learned counsel for the petitioners and

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contended that respondent No.1 has passed the well reasoned and detailed order dated 18.07.2012 (Annexure P-7). The petitioners have no right to deprive the private respondents of irrigation. Since this is the case of extension of minor, provisions of Section 30-A of the Act and other related provisions will be applicable. The impugned order being well-reasoned and speaking needs to be upheld. In support of his contentions, learned counsel relied upon *Piyare Lal and Ors. vs. The State of Punjab and Ors. (1996) ILR 2 Punjab and Haryana 330, Mohan Singh and Ors. vs. The Divisional Canal Officer and Ors. (1967) 69 PLR 204, Kundan Lal vs. The Divisional Canal Officer and Ors. 1968 P.L.R 162 and Jaswinder Kaur and others vs. State of Punjab and others (2011) ILR 1 Punjab and Haryana 91.*

I have given thoughtful consideration to the rival contentions of learned counsel for the parties and perused the record.

It would be apposite to reproduce Section 3(1) (1A) and (2) of the Act which reads as under:

“3. Interpretation-clause.— *In this Act, unless there is something repugnant in the subject or context,—*

(1) “Canal” includes,—

(a) all canals, channels, and reservoirs constructed, maintained or controlled by the State Government for the supply or storage of water;

(b) all works, embankments, structures, supply and escape-channels connected with such canals,

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channels or reservoirs;

(c) all water-courses as defined in the second clause of this section;

(d) all parts of a river, stream, lake or natural collection of water or natural drainage-channel, to which the State Government has applied the provisions of Part II of this Act;

(e) a field drain for the purposes of Section 70 of this Act.

(1A) Temporary water course. - "Temporary watercourse" means a watercourse which has been in existence for a continuous period of not less than six months prior to the date of its demolition, alteration, enlargement or obstruction, but which may not be a recognised watercourse as hereinafter defined.

(2) "water-course" means any channel which is supplied with water from a canal, but which is not maintained at the cost of the State Government, and all subsidiary works belonging to any such channel.

In view of contentions of learned counsel for the parties, it would be appropriate to examine what is the difference between 'canal' and 'watercourse.'

The definition of 'canal' as referred to above in interpretation clause of the Act begins as 'canal' includes *all canals, channels, and reservoirs constructed, maintained or controlled by the State Government for the supply or storage of water; all works, embankments,*

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structures, supply and escape-channels connected with such canals, channels or reservoirs; all water-courses as defined in the second clause of this section; all parts of a river, stream, lake or natural collection of water or natural drainage-channel, to which the State Government has applied the provisions of Part II of this Act and a field drain for the purposes of Section 70 of this Act. The expression in the definition of canal 'all watercourses' as defined in the second clause of this section i.e. Section 3(2) which defines watercourses, is also included in the definition of canal so watercourses as defined in Section 3(2) of the Act are canals, whereas every canal is not a watercourse. A canal may be maintained at the cost of the State Government or private persons. A watercourse ordinarily is a stream of water flowing in a well defined channel and discharging itself to some other stream or land. But the specific meaning as given in Section 3(2) of the Act, it is restricted to a well recognized channel drawn from a canal and maintained at the cost of irrigators, not the State Government. A watercourse as defined in Section 3 (2) of the Act can only be such a channel conveying water which is not maintained at the cost of the State Government. The word 'outlet' has not been defined in the Act, it is an inter-link between the canal and watercourse, meaning thereby it is an aperture/opening in the canal through which water flows into watercourse. In such circumstances, an 'outlet' would be included in Section 3(1) (b) of the Act

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in the expression of 'all works, structures, supply and escape channels connected with such canal'. The words 'maintained or controlled by the State Government' occur in clause (a), do not occur in clause (b) of sub-section (1) of Section 3 of the Act. It is, therefore, clear that an outlet like any other work, structure or supply and escape channel may be either constructed or maintained by the State Government or at the cost of private persons. An identical issue has been considered by a Division Bench of this Court in ***Kundan Lal's case (supra)*** wherein it has been held as under:

“11. It would appear from the above quoted definitions of "canal" and "watercourse" contained in the interpretation clause of the Act that whereas all watercourses are canals, every canal is not a watercourse, Whereas a canal may be maintained by private persons or may be maintained at the cost of the State Government, a watercourse, as defined in the Act, can only be such a channel conveying water "which is not maintained at the cost of the State Government." "Outlet" is not defined in the Act. It is, however, not in dispute that an outlet is the contrivance constructed on a canal from which water is supplied into a smaller canal. An outlet may be built and maintained at the cost of the State Government or may be constructed and built with the sanction and approval of the canal authorities at the cost of the right-holders whose lands are to be fed by the water-channel at the head of which the outlet is provided. There is nothing in the Act which might

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*indicate that an outlet must like a watercourse be maintained at the cost of private persons. In the absence of such indication it has to be presumed that the learned counsel for the respondents are correct in stating that like any other part of a canal as defined in sub-section (1) of section 3, an outlet may be constructed or maintained by the State Government or by private persons. An outlet would be included in clause (b) of sub-section (1) of section 3 in the expression "all works, structures, supply and escape channels connected with such canals." It is significant to note that the words, "maintained or controlled by the State Government" which occur in clause (a) do not occur in the above-quoted clause (b) of sub-section (1) of section 3. It, therefore, appears to be fair to conclude that an outlet like any other work, structure, or supply and escape channel may either be constructed and maintained by the State Government or by private persons. It is in the light of these facts emerging from the statutory definitions contained in the Act that section 30-A has to be interpreted. In an unreported judgment of Khanna, J., **Munshi Ram and others v. The Superintending Engineer and others, C.W. 1538 of 1964 decided on 30th October, 1964 : 1965 PLR (S.N.) 32** (at page 16 of the short notes) the brief facts were like this. The lands of the writ-petitioners and of the contesting respondents were irrigated through outlet at R.D. 5210-L at Mali Minor of Sunder Sub-Branch of the Western Jamuna Canal, Hissar. The contesting respondents made an application to the Divisional Canal Officer for splitting up the outlet so as to provide them with a new outlet for irrigating their fields. The application was resisted by the*

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*writ petitioners. By his impugned order the Divisional Canal Officer sanctioned the splitting up of the existing outlet by providing a new outlet for the contesting respondents. The decision of the Divisional Canal Officer was affirmed by the Superintending Canal Officer. The canal authorities had purported to pass the impugned orders under section 20 of the Act. Counsel appearing before Khanna, J. agreed that the order could not be covered under section 20. Khanna, J., however, held that mere wrong mention of the section would not result in quashing of the order if it could be justified under any other provision of the law. It was held that as the impugned order in that case was in fact for the construction of a new watercourse for the purpose of ensuring equitable distribution of supply of water, it would be covered by clauses (a) and (d) of sub-section (1) of section 30-A reproduced above. An outlet was, therefore, treated by Khanna, J., as a part of a watercourse, the construction or alteration of which is authorised by clause (a) and the passing of any other order, which is necessary for the proper maintenance and distribution of supply of water from the watercourse, is covered by clause (d) of sub-section (1) of section 30-A. The precise question which has been mooted before us as the common question arising in all these three cases arose before me in Single Bench in Piyare Lal and others v. The State of Punjab, 1966 Cur. LJ 3. After referring to the judgment of Shamsheer Bahadur, J., in *Manjit Singh and others* and of Mahajan, J., in *Kishan Singh and others*, I held in that case that clause (d) of sub-section (1) of section 30-A is wide enough to cover "any other matter" not specified in clauses (a), (b) and (c) of that*

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sub-section which might be considered to be necessary for the proper maintenance and distribution of supply of water. It was, therefore, held in Piyara Lal's case that the closure or the opening or the shifting of an existing outlet would certainly be a matter connected with the proper maintenance and distribution of supply of water in appropriate cases. While so holding I also treated, like Khanna, J., an outlet as a part of a watercourse. The situation in which an outlet exists shows that it is necessarily a part of one or other or even of both the canals at the junction of which it is constructed. It is a part and parcel of the canal from which water has to flow through the outlet into the smaller channel of which also it can be said to form an integral portion. The same question arose before Grover, J., in Mohan Singh and others v. The Divisional Canal Officer and others, 1967 PLR 204, Grover, J., (now adorning the Bench of the Supreme Court) held that section 30-A of the Act has to be read as a whole and sub-clause (d) of sub-section (1) when read with sub-section (2) would indicate that the site of the outlet has to be covered by the scheme which is to be prepared under sub-section (1) and, therefore, it would be futile to argue that the site of the outlet cannot be changed in any scheme framed under that section. The learned Judge observed that a scheme relating to irrigation through a watercourse is bound in the very nature of things to include the outlet from which the watercourse is to receive water and it is difficult to concede that the Legislature should have made no provision in that behalf. The learned Judge referred to my judgment in Piyara Lal's case and approved of the law laid down herein

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regarding the scope of section 30A(1)(d) of the Act. No. judgment taking the contrary view has been cited before us.”

Now the question arises whether Section 20 or Section 30-A will apply in the present case.

In order to appreciate the contentions of learned counsel for the parties, it would be apposite to refer to Sections 20 and 30-A (1) and (2) of the Act which read as under:

“20. Supply of water through intervening water-course. - Whenever application is made to a Divisional Canal Officer for supply of water from a canal and it appears to him expedient that such supply should be given and that it should be conveyed through some existing water-course, he shall give notice to the persons responsible for the maintenance of such water-course to show cause, on a day not less than fourteen days from the date of such notice why the said supply should not be so conveyed and after making enquiry on such day, the Divisional Canal Officer shall determine whether and on what condition the said supply shall be conveyed through such water-course.

When such officer determines that a supply of canal water may be conveyed through any water-course as aforesaid his decision shall when confirmed or modified by the Superintending Canal Officer be binding on the applicant and also on the persons responsible for the maintenance of the said water-course.

Such applicant shall not be entitled to use such water-

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course until he has paid the expense of any alteration of such water-course necessary in order to his being supplied through it, and also such share of the first cost of such water-course as the Divisional or Superintending Canal Officer may determine.

Such applicant shall also be liable for his share of the cost of maintenance of such water-course so long as he uses it.

30A. Preparation of draft scheme. - (1) *Notwithstanding anything contained to the contrary in this Act and subject to the rules prescribed by the State Government in this behalf the Divisional Canal Officer may, on his own motion or on the application of a shareholder, prepare a draft scheme to provide for all or any of the matters namely:-*

(a) the construction, alteration, extension and alignment of any water-course or re-alignment of any existing water-course;

(b) re-allotment of areas served by one water-course to another;

(c) the lining of any water-course;

(cc) the occupation of a land for the deposit of soil from water- course clearances;

(d) any other matter which is necessary for the proper maintenance and distribution of water from a water-course.

(2) Every scheme prepared under sub-section (1) shall amongst other matters, set out the estimated cost thereof, the alignment of the proposed water-course or re-alignment of

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the existing water-course, as the case may be, the site of the outlet, the particulars of the share-holders to be benefited and other persons who may be affected thereby and a sketch plan of the area proposed to be covered by the scheme.

The aforesaid issue has already been considered by the Division Bench of this Court in **Kundan Lal's case (supra)**, wherein it has been held as under:

“8. So far as section 20 is concerned, it does not appear to present any difficulty. The opening part of the section provides for four things, i.e. :-

- (1) An application has to be made to a Divisional Canal Officer for supply of water from a canal;*
- (2) it must appear to the Divisional Canal Officer to whom the application is made that it is expedient :*
 - (a) that such supply should be given, and*
 - (b) that the water to be supplied should be conveyed through some existing watercourse;*
- (3) The Divisional Canal Officer shall give notice to the persons responsible for the maintenance of the watercourse in question to show cause why water should not be supplied as desired by the applicant or as thought expedient by the Divisional Canal Officer;*
- (4) After service of such notice the Divisional Canal Officer has to make an inquiry into the claim of the applicant and the objections raised against it if any and then to*
- (5) determine whether and on what conditions the said supply shall be conveyed through such watercourse, i.e., through the existing watercourse.*

9. The above analysis of the opening part of section 20

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would show that the only claim of an applicant which can be considered under that section is for the supply of water which has to be conveyed through some existing watercourse. The section does not at all refer to the making of a new watercourse or the construction, closing or shifting of an outlet. In Manjit Singh and others v. The Superintending Engineering Upper Bari Doab Circle, Amritsar and others, 1964 PLR 495, it was held by Shamsher Bahadur, J., that section 20 is intended to apply to applicants who desire their fields to be served through an existing watercourse, but does not vest authority in the Divisional Canal Officer or indeed any other authority appointed under the Act to shut an existing outlet and shift it to another position on the canal. The learned Judge further observed that such a course is perhaps possible with the assent of the right-holders whose fields are irrigated through the existing outlet. In Kishan Singh and others v. The State of Punjab, 1965 Cur. LJ 39 it was held by Mahajan, J., that there is no provision in the Act which permits the reduction of the size of an existing outlet though action to that effect can possibly be taken under section 30-A of the Act for which action there is a regular procedure prescribed in sections 30-B to 30-D. Though objection had also been taken originally in the writ petition of Kishan Singh and others to the decision to shift the existing outlet, the said matter ceased to be an issue at the time of the hearing of the case as in the return filed by the State it was categorically stated that the outlet was not being shifted and only its size was being reduced. Shamsher Bahadur, J., had another occasion to deal with the same matter in Jit Singh

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and others v. The State and others, 1965 Cur. LJ 554. An outlet had been constructed from the inception of Sadewa distributary. After six years the Divisional Canal Officer acting under section 20 ordered the shifting of the outlet to another place "in the interest of irrigation". It was held following the learned Judge's own previous judgment in Manjit Singh's case that section 20 of the Act does not invest power in the Divisional Canal Officer or indeed any other authority appointed under the Act to shut an existing outlet and to shift it to another position of the canal. It was made clear by the learned Judge that there was nothing to prevent the Divisional Canal Officer from opening another outlet but section 20 could not be used to close "an existing watercourse and shift it to another place." Whatever may be said about the power to shift an existing watercourse, it is clear that an existing outlet cannot be closed or shifted in exercise of the jurisdiction conferred on the canal authorities by section 20 of the Act. We are in full agreement with the above said judgments of the learned Single Judges on this question. We accordingly hold that section 20 does not authorise either the opening or closing or reduction in size of an existing outlet."

A careful reading of the opening part of Section 20 of the Act shows that it only applies to the claim of the applicants for the supply of water which has to be conveyed through some existing watercourse. The section does not at all refers to the making of a new watercourse or the construction, closing or shifting of an outlet and extension of water

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channels.

Section 30-A gives ample power to the canal authorities for the matters mentioned therein. Section 30-A (1) (a) includes the construction, alteration, extension and alignment of any water-course or re-alignment of any existing water-course. The term 'watercourse' in clauses (a) and (d) of Section 30-A(1) and expression 'any other matter' in clause (d) would necessarily include further extension of existing sub-minor. I have already come to the conclusion that watercourse as defined in Section 3(1) (c) of the Act also comes within the definition of canal. The aforesaid terms indicate that legislature had intended that a draft of scheme should be prepared for matters, not specifically mentioned in clauses (a), (b) and (c). The expression 'construction of any watercourse' in Section 30-A (1) (a) includes the construction of new outlet to feed a watercourse and the expression 'watercourse' in clause (d) of the same sub-section includes a new watercourse proposed in the scheme. It would necessarily include a new outlet as also the outlet on the watercourse, itself, from which further channel shoots off. The expression 'any other matter' in clause (d), which is necessary for the proper maintenance and distribution of supply of water, is larger enough to include the matters which are not specifically mentioned in this section. This apparently appears to have been provided by the legislature in order to ensure proper maintenance and distribution of supply of water

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from a watercourse. It cannot be held that extension of water channel or sub minor cannot be done by framing a scheme under Section 30-A of the Act. As per the definition, all watercourses are included in the term of 'canal' and it certainly includes the channel which is to be extended and to be fed from canal. As such, Section 30-A of the Act will apply in the present case, not Section 20 of the Act.

Now I would examine whether extension of Suhelewala minor is in accordance with law. Admittedly, Suhelewala minor is being extended upto village Bahmni Wala. With the extension of this water-channel upto outlet RD No.45500, Suhelewala, Chak Dhab Khushal Joian, Jandwala, Chak Panjkohi, Chak Kaberwala, Chak Gulam Rasul Wala, Chak Balochan Wala and Bahmni Wala will be benefited. So far as the scheme is concerned, the same has been properly framed in accordance with law specifically there is a compliance of Section 30-B etc. The case of the petitioners is that more area is required to be acquired for the extension of the minor, but it will felicitate better irrigation by covering maximum villages. It is a technical matter and does not fall within the power of the Court, what is required to be considered, is for the canal authorities and they have examined all technical aspects in the present case.

Moreover, the Superintending Canal Officer has passed a speaking order (Annexure P-7) by recording point-wise findings that

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there will be no water logging with the extension of proposed Suhelewala extension and Kalewala extension, but Suhelewala extension is better. It has also been held that Kalewala extension scheme is to connect the Suhelewala Distributary RD No.10930 at point E, the land of shareholders in between these points is getting canal irrigation from Kalewala Distributary and Suhelewala Distributary but in case, the Suhelewala Distributary is extended, these shareholders would get better irrigation and the shareholders will be benefitted by the scheme. Besides this, it has also been held that if Kalewala Minor is extended, its length would be 66700 ft. upto tail and there would be less water at the tail. On the other hand, if Suhelewala minor is extended, its length would be 45500F where water would reach soon and farmers would get more water, therefore, it would be better to extend Suhelewala minor. The length of Suhelewala extension would be 13.87 KM and length of Kalewala extension would be 20.33 km. Respondent No.1-Superintending Canal Officer has prepared the comparative table in that regard and mentioned the same in the impugned order.

Since I have come to the conclusion that the order dated 18.07.2012 (Annexure P-7) passed by respondent No1-Superintending Canal Officer is well reasoned and extension of Suhelewala Minor from RD No.10930 to RD No.45530 has been rightly sanctioned, therefore, land is required to be acquired for the said purpose and the impugned

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order dated 26.03.2013 (Annexure P-9 in CWP No.8084-2013) for acquisition of land has been rightly passed and is, therefore, upheld.

In view of above discussion, all the writ petitions are dismissed.

No order as to costs.

28.03.2016
parveen kumar

(Paramjeet Singh Dhaliwal)
Judge