

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

Regular Second Appeal No.6326 of 2016 (O&M)

Date of Decision: December 7, 2016

Suraj Bhan

.....APPELLANT (s).

VERSUS

State of Haryana and others

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Naveen S. Bhardwaj, Advocate,
the the appellant.

SURINDER GUPTA, J.(Oral)

Heard.

The plaintiff filed a suit seeking relief of permanent injunction to restrain the defendants from constructing *pucca* water course in place of *kutcha* water course in existence on the land of Gram Panchayat. The plea put forward by the plaintiff is that by making the water course *pucca*, his passage to his fields will be obstructed and he has no other passage of ingress or outgress for his fields but the courts below declined the relief as the water course is already in existence and is on the Gram Panchayat land with which the plaintiff has no concern. Even otherwise, the plaintiff has no right or authority to restrain the State from constructing *pucca* water course to save water and to enhance the irrigation facilities for the fields.

In view of the above, I find no reason to interfere with the judgment and decree passed by the courts below. If any right of passage of the plaintiff is obstructed, he may make a representation to this effect to the authority concerned or seek appropriate legal remedy.

Dismissed.

December 7, 2016.

Paritosh Kumar

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No