

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

219

CIVIL WRIT PETITION NO.12394 OF 2014

DATE OF DECISION: DECEMBER 05, 2018

Rajbir Singh

.....Petitioner

VERSUS

The Sub Divisional Canal Officer, Sirsa and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ashok Verma, Advocate,
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab,
for the State.

Mr. C.R.Dahiya, Advocate,
for respondent No.4.

AUGUSTINE GEORGE MASIH, J. (ORAL)

On 02.07.2014, following order was passed:-

*“Notice of motion for 14.07.2014, only to the limited extent qua
payment of some compensation to the petitioner.
Dasti only.”*

Counsel for respondent No.4 states that the said respondent is not inclined to give any compensation to the petitioner. He inter-alia contends that even if the water course, which is claimed by the petitioner to be a private water course, is said to be so, still it was a permanent water course as respondent No.4 has been continuously getting water from the said water course for the last 29 years as per the order passed by the

Divisional Canal Officer, Nehrana, Water Services Division, Sirsa, dated 30.01.2014 (Annexure P-4). He contends that as a matter of fact after dismantling of the water course in the year 2013 till its restoration in the year 2015, the petitioner was deprived of the water of the said water course, which he would have utilized for irrigation of his land. He, thus, contends that the petitioner is not entitled to any compensation.

In view of the above said facts, this Court is not inclined to interfere in the matter and, thus, the writ petition stands dismissed.

December 05, 2018
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(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No