

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

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CIVIL WRIT PETITION NO.15787 OF 2018
DATE OF DECISION: JULY 03, 2018

Rakesh Kumar

.....Petitioner

VERSUS

Superintending Canal Officer, Ferozepur and others

....Respondents

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

Present: Mr. Rohit Aggarwal, Advocate,
for the petitioner.

Mr. S.P.S.Tinna, Advocate,
for respondent No.3-Caveator.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Notice of motion.

Mr. S.P.S.Tinna, Advocate, counsel for Caveator-respondent
No.3, accepts notice.

Having heard counsel for the parties, I do not find merit in the
contention of learned counsel for the petitioner that the water course did not
exist at the spot, which has been ordered to be restored. A perusal of the
impugned orders dated 02.05.2018 (Annexure P-3) passed by the
Superintending Canal Officer, Ferozpur and dated 06.03.2018 (Annexure P-
2) passed by the Divisional Canal Officer, Abohar, clearly establish on the
basis of the record that a temporary water course was in existence, which
has ultimately been ordered to be restored.

Thus, the findings as recorded by the authorities concerned are based upon proper appreciation of the evidence and the records of the case and, therefore, do not call for any interference by this Court in exercise of its extra ordinary jurisdiction.

Consequently, finding no merit in the writ petition, the same stands dismissed.

July 03, 2018
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

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