

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

LPA No. 1847 of 2016 (O&M)
In CWP No. 13264 of 2016

Date of decision: 22.2.2018

Chander Bhan and another

.. Appellants

vs

Chief Canal Officer, Bhakra Water Services, and others .. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice B. S. Walia**

Present: Mr. D. P. S. Bajwa, Advocate, for the appellants.
Ms. Tanisha Peshawaria, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

Present intra-court appeal has been filed by the writ petitioners/
appellants challenging the order passed by the learned Single Judge.

The order dated 23.5.2016 passed by the Chief Canal Officer
was impugned in the writ petition, whereby the impugned order of transfer
of 11 acres of land owned by respondent no. 4 from outlet RD 34750-R to
RD 26000/R NSK Minor, was allowed.

Short reply filed by Balraj Chauhan, Divisional Canal Officer,
Narwana Water Services Division, Narwana, dated 19.2.2018, on behalf of
respondent nos. 1 to 3, in Court, is taken on record. In para 6 of the reply, it
has been stated that the order passed by the Chief Canal Officer, which was
impugned in the writ petition, has been implemented at site with the consent
of the writ petitioners as well as other shareholders of both the affected

outlets. Hence, the prayer made in the writ petition has been rendered infructuous. Relevant para of the reply is extracted below:-

“6. That it is brought to the kind notice of this Hon'ble High Court that the decision of Chief Canal Officer, Haryana (Annexure P-4) vide which the area of the respondent No. 4 was ordered to be transferred from outlet at RD 34750/R to outlet at RD 26000/R New Sacha Khera Minor has been implemented at site with the consent of the petitioners as well as other shareholders of both the affected outlets and therefore, the present Letter Patent Appeal filed by the petitioners has become infructuous and the same is liable to be dismissed.”

As both the parties likely to be affected with the change of irrigation facilities are satisfied with the order passed by the Chief Canal Officer, which was impugned in the writ petition, in our view the present appeal has been rendered infructuous and the same is disposed of accordingly.

(Rajesh Bindal)
Judge

22.2.2018
vs

(B. S. Walia)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No