

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

LPA No.297 of 2018 (O&M) in
CWP No.23755 of 2017
Date of decision : 27.03.2018

Gurnaib Singh and others

...Appellants

Versus

Superintending Canal Officer and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Ravish Bansal, Advocate for the appellants

ANIL KSHETARPAL, J.

The appellants have filed the present intra-court appeal against the order passed by the learned Single Judge dated 13.10.2017 in Writ Petition praying for quashing of orders dated 23.11.2016 and 16.06.2017 passed by the Divisional Canal Officer and the Superintending Canal Officer, respectively and scheme dated 12.09.2016.

The grievance of the appellants was that chak of the water outlet No.136627-R Rajwaha Raunta having 1023.00/902.00 acres of land has now been divided and the land measuring 717.95/609.37 acres has been shifted to newly created outlet No.140493-R Rajwaha Raunta leaving only 306.05/292.63 acres land in the previous outlet i.e. outlet No.136627-R Rajwaha Raunta.

The appellants apprehend that on account of creation of the new outlet, the level of water in the existing outlet i.e. 136627-R Rajwaha Raunta shall be reduced resulting in less availability of water for him.

Learned counsel for the appellants was unable to point out any material available on the file, which could support his apprehension. Superintending Canal Officer has already examined the matter in detail and has dismissed the appeal filed by the appellants. He has noted that the area which has been transferred was far away from the outlet No.136627-R Raunta Rajwaha and the water course was very long. The concerned Ziledar and Sub Divisional Officer recommended transfer of the area with the sanctioning of the new outlet No.140493-R at Raunta Rajwaha. The length of the water course has been reduced with the creation of new outlet and the same is for better irrigation.

For the reasons mentioned above, no ground is made out to interfere with the order passed by the learned Single Judge.

The appeal is dismissed. Consequently, application for condonation of delay of 20 days in refiling the appeal is also dismissed.

27.03.2018

Pawan

(RAJESH BINDAL)
JUDGE

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No