

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.4135 of 2017 (O&M)

Date of Decision: December 05, 2018

Anirudh

...Appellant

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Vivek Khatri, Advocate,
for the appellant.

AMIT RAWAL, J. (Oral)

CM No.10719-C of 2017

For the reasons mentioned in the application, which is supported by an affidavit, delay of 2 days in filing the appeal is condoned.

CM stands disposed of.

RSA No.4135 of 2017

Appellant-plaintiff has not been successful in seeking injunction against the respondent-defendants, their servants and agents from restoring the watercourse in dispute over land bearing Killa Nos.16/2 and 17 situated in the revenue estate of Village Khatiwas, Tehsil and District Jhajjar on the premise that the application of defendant No.1 submitted under Sections 24(2) and 24(3) of the Haryana Canal and Drainage Act, 1974 (for short, 1974 Act) for restoration of watercourse was unauthorisedly accepted. Both the courts below have dismissed the suit as the civil court did not have jurisdiction.

I have heard the learned counsel for the appellant and appraised

the paper book.

Section 25 of 1974 Act prohibits the jurisdiction of the civil court for entertaining the matters pertaining to the accounts or orders passed under Sections 17 to 24 of 1974 Act. The concurrent findings of fact and law, in my view, cannot be said to be faulted with or suffer from any illegality or perversity. No ground for interference is made out, much less substantial question of law.

Resultantly, the appeal is dismissed.

December 05, 2018
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No