

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

228

Civil Writ Petition No.26540 of 2017
Date of Decision: July 10th, 2019

Major Singh

...Petitioner

Versus

The Superintending Canal Officer, Sirhind Canal Circle, Ludhiana
and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Baltej Singh Sidhu, Advocate
for the petitioner.

Mr. Charanpreet Singh, Assistant Advocate General, Punjab.

Mr. Aman Dhir, Advocate
for respondent No.4.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court impugning the orders dated 01.06.2017 (Annexure P-3), 23.12.2016 (Annexure P-2) and 30.03.2016 (Annexure P-1) passed by respondents 1 to 3 respectively, whereby an initial application moved by respondent No.4 under Section 68 (1) of the Northern India Canal and Drainage Act, 1873, was allowed granting him turn for irrigating his land, appeal and revision preferred by the petitioner stand dismissed.

2. It is the contention of learned counsel for the petitioner that while allowing the application of respondent No.4-Baldev Singh son of Bakhtaur Singh, the Deputy Collector, Bathinda Canal Division, Bathinda, has not issued notice to the petitioner nor has he been served. He, thus, contends that the petitioner having been deprived his right of being heard, violated the principle of natural justice and, therefore, the order cannot sustain. On the same reasoning, challenge has been posed to the orders

3. Original records have been produced by the counsel for the State. On perusal of the same, it has been found that the petitioner has been duly served and, therefore, the assertions of the counsel for the petitioner cannot be accepted. No ground is made out for interfering in the orders which have been impugned by the petitioner as the same are based upon proper appreciation of the factual position on record and there is no violation of the statutory provisions.

4. The writ petition, therefore, being devoid of merit stands dismissed.

July 10th, 2019
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No