

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

114

**CWP-7067-2021 (O&M)
Date of decision:25.03.2021**

BUDH SINGH AND ANR

.....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. N.S. Dandiwal, Advocate,
for the petitioners.

ANIL KSHETARPAL, J.

The order passed by the Superintending Canal Officer, Patiala Circle, I.B. Patiala, in appeal, has been assailed in the writ petition filed under Article 226/227 of the Constitution of India.

Learned Superintending Canal Officer, Patiala Circle, I.B. Patiala, has found that the land of the petitioners adjoins the water outlet, however, when the water outlet was installed this area was not included. The water-course is a covered water-course which goes through the A B pipeline which opens after crossing the water outlet 16130/L. The Superintending Canal Officer, Patiala Circle, I.B. Patiala, has also observed that while preparing the comparative command statement, hydraulic losses were not considered. It has further been found that if an opening is given from the pipeline, the hydraulic losses would increase which will affect the irrigation of the area.

It is not in dispute that the petitioners are getting irrigation from the water outlet (Moga Burji) 18/& Singho Branch. The petitioners now want that some of their land be shifted to water outlet 16130/L.

The Superintending Canal Officer, Patiala Circle, I.B. Patiala, has given cogent reasons while accepting the appeal and setting aside the order dated 04.09.2018 passed by the Divisional Canal Officer, Mansa Division IB, Jawaharke.

Hence, no ground to interfere is made out.

Dismissed.

25.03.2021

Ayub/nt

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No