

CWP No. 10555 of 2021

Date of Decision: July 13, 2021

Darshan Singh and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Baltej Singh Sidhu, Sr. Advocate with
Mr. Satveer S. Badal, Advocate
for petitioners

Ms. Anju Sharma Kaushik, DAG Punjab
for respondents No. 1 to 3

Sudhir Mittal, J. (Oral)

The petitioners are residents of village Lalbai, Tehsil Gidderbaha. Upon representation made by the villagers, the Water Sources Department of the Govt. of Punjab has sanctioned a scheme for installation of new lift pumps. For execution of the same, the Society known as Water Users Society, village Lalbai has been formed and all villagers are required to pay money in accordance with their holding. Initially some money was accepted from the petitioners but thereafter a dispute has arisen between them and the President of the aforementioned Society. The said President has been impleaded as respondent No. 4. Consequently, respondent No. 4 has refused to accept further payment from the petitioners. Hence, the present petition has been filed for a direction to respondent No. 3 for including the land of the petitioners while implementing the scheme of irrigation after installation of lift pumps.

Learned State counsel submits that role of the Canal Authorities has come to an end after sanction of the scheme. Implementation is in the hands of the co-sharers and they have formed a Society for this purpose. The Canal Authorities

have no control over the said Society.

In exercise of jurisdiction under Article 226 of the Constitution of India no direction can be issued to a private body or a person. Respondent No. 4 is the President of the Water User Society and as such not amenable to the writ petition. Thus, the writ petition is dismissed as not being maintainable.

July 13, 2021

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No