

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

**CWP No.16748 of 2021  
Date of Decision:31.08.2021**

**Ram Niwas and another**

**....Petitioners**

**VS**

**State of Haryana and others**

**....Respondents**

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

**Present:** Mr. Ajit Sihag, Advocate  
for the petitioners

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**SUDHIR MITTAL, J. (Oral)**

The petitioners have approached this Court through this writ petition as respondent No.2 has reversed the orders passed by the Superintending Canal Officer and Divisional Canal Officer. The application of the private respondent for transfer of certain land to another outlet stood rejected by the aforementioned authorities.

A perusal of the order dated 03.08.2021 passed by respondent No.2 shows that watercourses of the *chak* of existing outlet at RD 8400-L of Chandrawal Minor were brick lined but on account of 30 years having elapsed, their condition had deteriorated. It has also been found that the land of the private respondent was at the tail end. Both factors combined were resulting in reduced irrigation. The transfer would enhance the irrigation and would also result in consolidation of the land of the private respondent.

Learned counsel for the petitioners has submitted that the order of respondent No.2 deserves to be set aside as the Divisional Canal Officer as well as the Superintending Canal Officer have returned a concurrent finding that even after transfer, the irrigation would not improve.

From the above, it is evident that the Divisional Canal Officer and the Superintending Canal Officer have not considered the matter in the manner it has been considered by respondent No.2. The petitioners could succeed only, if the findings were shown to be perverse, however, despite repeated opportunities, counsel for the petitioners has failed to show that the findings were perverse.

In view of the above, the writ petition has no merit and is dismissed.

( SUDHIR MITTAL )  
JUDGE

31.08.2021  
Poonam Negi

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable :      | Yes/No |