

CWP-3797-2022

Date of Decision: 28.02.2022

Navdeep Singh

....Petitioner

VS

The Sub Divisional Canal Officer, Punjuana Water Services Sub Division,
Sirsa and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ashok Verma, Advocate for the petitioner

Mr. J.S. Thind, Advocate for the caveator/respondent

SUDHIR MITTAL, J. (Oral)

The petitioner is aggrieved because the application filed by the private respondent for restoration of a demolished water course shown as AB in site plan has been allowed. His appeal and revision have been dismissed.

Learned counsel for the petitioner refers to site plan Annexure P-1 and submits that water course AB does not pass through the land of the petitioner. The petitioner has not demolished the water course shown as AB and in the guise of restoration thereof a new water course is sought to be constructed through the land of the petitioner.

The argument can not be accepted. It is not the case of the petitioner that there was a parallel water course running through his fields which was being used only by him. All the Courts below have returned concurrent findings that the water course AB has been demolished by the petitioner and no error has been pointed out therein. Assuming that the petitioner has not demolished the water course, he is not adversely affected by its restoration.

The writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

28.02.2022

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