

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

Sr. No.107

**CWP-19196-2021 (O&M)
Date of decision : 11.05.2022**

Balwinder Singh

..... Petitioner

VERSUS

Superintending Canal Officer and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Peeush Gagneja, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

Respondent No.5 filed an application for change in turn of water. The application has been allowed. Aggrieved by this order, the petitioner filed a statutory appeal, but the same was rejected. His revision against the appellate order has also failed.

Learned counsel for the petitioner submits that change in turn of water would result in bifurcation of land of the petitioner. This argument was specifically raised before the authorities below, but they have not considered the same. To support his argument, reliance is placed upon site plan (Annexure P-5).

A perusal of the site plan (Annexure P-5) shows that water course on which the turn of water has been allotted is already in existence. The order of the Divisional Canal Officer also records that the water course is in existence and this finding has been returned on the basis of a certificate issued by the concerned department. It is, thus, obvious that the water course is in existence and the question of bifurcation of the land of the petitioner by change in turn of water does not arise.

For the aforementioned reasons, the writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

11.05.2022
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No