

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-24951-2022

Date of Decision: 31.10.2022

Hardeep Singh

....Petitioner

VS

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Abhilaksh Grover, Advocate
for the petitioner

SUDHIR MITTAL, J. (Oral)

The private respondent i.e. respondent No. 5 had applied for change of *warabandi* on the ground that his land lies at the tail end of the water course and accordingly his turn of water should be in the end. The demand was rejected by the Sub Divisional Canal Officer but appeal filed by him succeeded. Revision filed by the petitioner has been rejected and, thus, the present writ petition has been filed.

Learned counsel for the petitioner has submitted that although the land of respondent No. 5 lies at the tail end of the water course, the *warabandi* before change was in existence for the last 40 years. There was no change in circumstances and, thus, the appellate and revisional Courts were in error in allowing the change of *warabandi*.

Site plan of the land in dispute is annexed as Annexure P-5. A perusal thereof clearly shows that the land of respondent No. 5 lies in Khata No. 64 which is at the tail end of the water course flowing from North to South.

Warabandi has to be in accordance with the principle of “first come first serve”.

So considered, the order of the appellate Court can not be faulted. Thus, for the same reason the revisional Court order also has to be upheld. The submission that without change in circumstances the *warabandi* could not have been changed is misconceived as there is no such law.

The writ petition has no merit and is dismissed.

31.10.2022
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(SUDHIR MITTAL)
JUDGE

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