

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

Sr. No.105

**CWP-22373-2019 (O&M)
Date of decision : 26.07.2022**

Jasvir

..... Petitioner

VERSUS

Superintending Canal Officer and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Neeraj Sheoran, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

Certain residents of village Ujhana-Koel filed an application before the Deputy Collector, Narwana for amendment of warabandi. Finding the demand justified, the warabandi of some of the villagers was amended, but for the others it was rejected. One such person was Sh. Deva Singh son of Ramsaran. Aggrieved, he filed an appeal before the Divisional Canal Officer. The same was partly allowed and the decision of the Deputy Collector, Narwana was modified. He sanctioned a naka at point 62//7x15 in the pucca water course, expense for construction of which was to be borne by the beneficiaries. The petitioner preferred an appeal against the said decision before the Superintending Canal Officer but the same has been dismissed vide impugned order dated 02.05.2019.

Learned counsel for the petitioner has submitted that the impugned order deserves to be set aside as there was no pucca water course in existence. Thus, naka could not have been sanctioned thereupon.

The argument cannot be accepted as the Divisional Canal Officer has found otherwise and there is nothing on record to suggest that the said finding is perverse.

The writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

26.07.2022

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No