

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

Sr. No.110

**CM Nos.301 & 310-CWP-2022 in/and
Civil Writ Petition No.22845 of 2021
Date of Decision : February 03, 2022**

Ramesh and another

...Petitioners

Versus

Superintending Canal Officer, Bhakra Water Service Circle, Fatehabad and
others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. H.S. Sidhu, Advocate, for the petitioners.

SUDHIR MITTAL, J. (ORAL)

CM-301-CWP-2022

This application has been filed for placing on record Jamabandi
(Annexure P-7).

For the reasons stated in the application, the same is allowed
and Annexure P-7 is taken on record.

CM-310-CWP-2022

Allowed as prayed for.

Main case is taken on board today.

CWP-22845-2021

The petitioners are aggrieved because an application filed by
respondents No.4 & 5 for restoration of a demolished watercourse has been
allowed by the Sub-Divisional Canal Officer. The appeal and revision filed
by the petitioners have failed.

A perusal of the order passed by the Superintending Canal Officer shows that there were two parallel watercourses running. One was depicted as 'ABGH' and the watercourse in dispute was depicted as 'CD'. The private respondents were taking water from the watercourse 'CD' and that the said watercourse was an old watercourse and was covered by the definition given in Section 2(15) of Haryana Canal and Drainage Act, 1974.

Learned counsel for the petitioners has argued that the watercourse 'CD' was not in existence. However, he has failed to substantiate this argument with any evidence. Thus, his oral submission cannot be accepted.

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

February 03, 2022

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No