

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

Sr. No.105

**CM Nos.15497 & 15499-CWP-2022 in/and
Civil Writ Petition No.23956 of 2021
Date of Decision : December 13, 2022**

Satnam Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ankit Midha, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

CM-15497-CWP-2022

Allowed as prayed for.

Exemption sought is granted.

CM-15499-CWP-2022

This application has been filed for placing on record Annexures
P-10 to P-12 and for exemption from filing certified copies thereof.

For the reasons stated in the application, the same is allowed.
Annexures aforementioned are taken on record and exemption sought is
granted.

CWP-23956-2021

Learned counsel for the petitioner very fairly submits that the
petitioner has not been able to obtain record pertaining to the exchange and
thus, he does not press this argument.

He, however, submits that under Section 30-FF of the Northern
India Canal and Drainage Act, 1873, it is essential to return a finding that

the watercourse in dispute had been demolished by the person alleged to have done so. No such finding having been returned, the impugned orders deserve to be set aside.

In view of the aforementioned submission, learned counsel for the petitioner was asked to point out whether this argument was raised before any of the authorities below. He, however, fairly submits that the argument was not raised. Thus, it would be deemed to have been waived and the petitioner cannot raise a new argument before the writ Court. Accordingly, the submission is rejected.

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

December 13, 2022
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No