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

CWP-19921-2017

Date of Decision: December 20, 2023

Hem Raj and others

.....Petitioners

Versus

The Superintending Canal Officer and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.B.S.Sidhu,Sr. Advocate with
Mr.Kanwarpal S.Randhawa, Advocate and
Mr.Harshdeep S.Chahal, Advocate
for the petitioners.

Ms.Akshita Chauhan, Deputy Advocate General, Punjab with
Mr.Sukhjit Singh, Divisional Canal Officer.

Mr.C.M.Munjal, Advocate
for respondents No.3 to 5.

.....

RAJESH BHARDWAJ, J.(ORAL)

Petitioners have approached this Court praying for setting aside the order dated 05.07.2017, Annexure P-8, and order dated 23.08.2016, Annexure P-7, passed by respondents No.1 and 2 respectively, whereby application for transfer of area measuring 12 acres from Outlet RD-16365/L Chauntra Minor to Outlet RD-211190/R Sirhind Feeder has wrongly and illegally been rejected, ignoring the application dated 11.08.2015, Annexure P-2, and demand made by the petitioners.

In pursuant to the order dated 04.12.2023, the Divisional Canal Officer, is present in Court. He has informed that in the year 2016, the issue regarding providing the water channel to the petitioners arose because there

purchased the adjoining land and now there is no problem regarding providing the water course to them from the proposed outlet as the petitioners have purchased this land and now underground pipeline would be provided by the State.

Learned counsel for the respondents has also candidly accepted the same to be correct.

In view of the same, the present petition is disposed of. Respondent-irrigation authorities should provide the new water course from the proposed outlet, i.e. RD 211190/R Sirhind Feeder to the petitioners in accordance with law within two months from the date of receipt of certified copy of this order.

However, the parties would be at liberty to avail their remedies in case any further cause of action accrues to them.

December 20, 2023

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(RAJESH BHARDWAJ)

JUDGE

1. Whether speaking/reasoned ?

Yes/No

2. Whether reportable ?

Yes/No