

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.107

LPA-467-2024 (O&M)

Date of decision : 16.02.2024

Jagdish Rai through his LRs
and others

..... Appellants

Versus

The Superintending Canal Officer,
Ferozepur and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
 HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr.R.A.Sheoran, Advocate, for the appellants.

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DEEPAK SIBAL, J. (Oral)

1. The present intra court appeal arises from the judgment dated 30.11.2023 passed by a learned Single Judge of this Court dismissing the appellants' writ petition filed by them to challenge therein orders passed by the canal authorities through which an application filed by respondents No.3 and 4 for transferring their land from the existing canal outlet has been accepted.

2. After hearing learned counsel for the appellants and carefully examining the impugned judgment we find that through his judgment the learned Single Judge has upheld concurrent findings by the canal authorities accepting the application made by respondents No.3 and 4 for transferring of their land from the existing canal outlet on the ground that the same would result in their land getting better irrigation with the appellants also not being put to prejudice and because the scheme initiated at the instance of respondents No.3 and 4 for better irrigation of their land had been approved only after thorough investigation and site inspection as also after receiving reports from the concerned J.E. and technical experts. Both sides were also found to have been heard by the canal authorities before arriving at the concurrent findings impugned by the appellants. The canal authorities and the

learned Single Judge also found no substantial difference in the distance of the land

from the existing outlet and the proposed outlet and that the area of land sought to be transferred was less than 10% of the area to the proposed outlet.

3. The learned Single Judge is found to have aptly considered all the issues raised before him. Therefore, the impugned judgment warrants no interference.

4. Dismissed.

[DEEPAK SIBAL]
JUDGE

16.02.2024
shamsher

[DEEPAK MANCHANDA]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No