



CM-1630-CWP-2025 in/and
CWP-12434-2021 (O&M)

-1-

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

**CM-1630-CWP-2025 in/and
CWP-12434-2021 (O&M)
Date of Decision: 09.07.2025**

Om Parkash and another

....Petitioners

Versus

Jagdish and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Ashwani Bhardwaj, Advocate
for the petitioners.

Mr. Jitender K. Sehrawat, Advocate
for respondent No.1.

Mr. Rajneesh Chadwal, AAG, Haryana.

HARSH BUNGER, J. (Oral)

CM-1630-CWP-2025

This is an application filed for placing on record copy of Mode of Partition dated 21.03.2014 (Annexure P-10), *Naksha 'G'* dated 19.01.2015 (Annexure P-11) and Sanad Takseem dated 14.03.2015 (Annexure P-12).

For the reasons mentioned in the application, the same is allowed and Annexures P-10 to P-12 are taken on record, subject to all just exceptions.

Application stands disposed of accordingly.



**CM-1630-CWP-2025 in/and
CWP-12434-2021 (O&M)**

-2-

CWP-12434-2021 (O&M)

The present petition has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Certiorari for setting aside order dated 04.02.2016 (Annexure P-2) passed by learned Sub Divisional Canal Officer; order dated 26.08.2020 (Annexure P-3) passed by learned Divisional Canal Officer and order dated 30.03.2021 (Annexure P-1) passed by learned Superintending Canal Officer.

2. At the outset, learned counsel for the petitioners while referring to order dated 04.02.2016 (Annexure P-2) submits that learned Sub Divisional Canal Officer had ordered restoration of the water channel AB for a period of one year. Learned counsel for the petitioners submits that even the partition proceedings carried out between the parties has attained finality, wherein no such water channel has been provided.

2.1 It is stated that the aforesaid order dated 04.02.2016 (Annexure P-2) was challenged by the petitioners by filing an appeal before learned Divisional Canal Officer, which was dismissed vide order dated 26.08.2020 (Annexure P-3), whereby order dated 04.02.2016 was maintained.

2.2 It is stated that even a further revision filed by the petitioners before learned Superintending Canal Officer also met with the same fate and order dated 26.08.2020 (Annexure P-2), passed by learned Divisional Canal Officer was maintained.

2.3 While referring to the aforesaid orders, learned counsel for the petitioners submits that since the water channel was ordered to be restored only for a period of one year which has already passed, the present petition is rendered infructuous.

3. Learned counsel appearing for respondent No.1 does not



**CM-1630-CWP-2025 in/and
CWP-12434-2021 (O&M)**

-3-

dispute the aforesaid fact that the watercourse in question is ordered to be restored only for a period of one year, which already stands passed.

4. Considering the above, since the watercourse was ordered to be restored only for one year, which has already passed, no further orders are required to be passed in the instant writ petition, therefore the same is accordingly disposed of.

5. All pending application(s), if any, shall also stand closed.

09.07.2025
Himani

(HARSH BUNGER)
JUDGE

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