



LPA-1157-2025 (O&M)

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

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CM-2844-LPA-2025 in/&
LPA-1157-2025 (O&M)
Date of Decision :16.09.2025

Abhay Singh and others

..Appellants

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Jitender K. Sehrawat, Advocate for appellants.

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Harsimran Singh Sethi, J. (Oral)

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1. Present application has been filed for condonation of delay of 05 days in filing the present appeal.
2. Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay of 05 days in filing the present appeal is condoned.

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3. In the present appeal, challenge has been laid to the impugned order dated 20.02.2025 (Annexure A-1) passed by the learned Single Bench of this Court whereby, the writ petition being CWP-488-2025 filed by the appellants, challenging the orders passed by the Canal authorities concerned in favour of the private respondents with regard to the restoration of the dismantled water course in their area, has been dismissed.



4. Learned counsel for the appellants contends that though initially, the water course was made operational temporarily for a period of six months by the SDCO but the said order was challenged by the appellants herein before DCO, but the concerned authority (SCO) by exercising its revisional powers ordered to make the said water course operative permanently. It is argued that the learned Single Judge has not appreciated the fact that more benefit has been conferred upon private respondents than what was originally granted by the authorities concerned and that too in the petition filed by the appellants herein, which is not permissible.

5. We have heard learned counsel for the appellants and have gone through the record with his able assistance.

6. On being asked as to what prejudice is being caused to the appellants keeping in view the relief granted to the private respondents, learned counsel for the appellants has not been able to point out any such prejudice. The restoration of the water course is meant for irrigation purposes of the private respondents's land, and the appellants have not shown now this in any way affects their own land.

7. Unless and until any prejudice is shown to be caused qua the non-irrigation of the land of the appellants, no interference is warranted as the operation of the water course so as to irrigate the land of the farmers is best left to be seen by the authorities concerned.

8. In the present case, the concerned authorities have already passed an order in favour of the private respondents which has further been upheld by the learned Single Judge of this Court. Further, no perversity has been pointed out by learned counsel for the appellants in the orders passed by the Canal authorities concerned as well as by the learned Single Judge of



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this Court.

9. The sole argument raised by the learned counsel for the appellants is that the benefit while hearing the revision petition filed by the private respondents herein has been enhanced in favour of the private respondents as, initially the water course was restored for a period of six months which has now been made permanent by the revisional authority.

10. It may be noticed that under the Haryana Canal and Drainage Act, 1974 (in short, '1974 Act'), the Superintending Canal Officer has a revisional power under Section 20(3) of the Act, even suo moto, to alter or modify an order so as to do complete justice between the parties. Hence, once the grant of benefit by the Superintending Canal Officer in favour of the private respondents has already been upheld by the learned Single Judge of this Court coupled with the fact that no prejudice has been shown to be caused to the appellants, no ground for interference by this Court is made out and the present appeal is accordingly dismissed.

11. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 16, 2025

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Whether speaking/reasoned : Yes

Whether reportable : No

(VIKAS SURI)
JUDGE