



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

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LPA-1551-2019

Date of Decision: 11.09.2025

Balbir Singh alias Kulvir Singh**....Appellant****Versus****State of Haryana and others****....Respondents**

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

Present: Mr. J.S.Thind, Advocate
for the appellant.

Mr. Aman Mittal, Deputy Advocate General, Haryana.

Mr. J.S.Jaidka, Advocate and
Ms. Komalpreet Chauhan, Advocate
for respondent No.5.

Harsimran Singh Sethi, J. (Oral)

1. In the present appeal, the challenge is to the order dated 27.08.2019 passed in CWP-22130-2019 by the learned Single Judge, by which, the writ petition filed by the appellant challenging the order passed by the Chief Canal Officer, Bhakra Water Services Unit, Haryana Irrigation and W.R. Department, Panchkula, for providing a culvert of the revenue estate of village boundary of Neelanwali and Panniwala Ruldu, which is owned by respondent No.5 on both sides on watercourse at point 86/85/1 min. i.e. 8 *karam* (South) from the common *kill*a line of Rectangle of *Killa* No.86//16-25 has been allowed in the favour of respondent No.5.



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2. Learned counsel appearing on behalf of the appellant submits that the said benefit which has been granted to respondent No.5 is causing prejudice to the appellant, which issue has not been addressed by the learned Single Judge while passing the impugned dated 27.08.2019. On being asked to point out the prejudice which is being caused to them after allowing the application of respondent No.5 especially in view of the finding given by the learned Single Judge in paragraph 5 of the impugned order, wherein it has been mentioned that despite repeated requests to the counsel for the appellant to show the prejudice caused to them because of providing of culvert on lined watercourse to respondent No.5, no such prejudice caused was shown, learned counsel for the appellant submits that the prejudice being caused is that his time to get his land irrigated has been delayed.

3. We have heard the learned Council for the parties and have gone through the record with their able assistance.

4. It may be noticed that merely that the time of irrigation is being delayed is not something which can cause prejudice especially when the main purpose of the watercourse is to irrigate the land of the farmer which land of appellant is being duly irrigated. Once, the irrigation of the land of appellant is being done, the timing of irrigation cannot be treated as a factor to deny the benefit of irrigation to a particular farmer from a particular watercourse.

5. Further, the order was passed by the revenue authorities on 24.06.2019 and the writ petition filed against this order was dismissed on 27.08.2019 and a period of more than six years has elapsed as of now after passing of order of revenue authorities but, no complaint has ever been made by the appellant with regard to non-irrigation of his fields due to the benefit

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granted to respondent No.5.

6. Further, the learned Single Judge has already dealt with all the arguments raised and found that the benefit granted to respondent No.5 by the Chief Canal Officer vide order dated 24.06.2019 neither suffered any procedural defect and nor caused any prejudice to the appellant.

7. As the appellant has failed to project any prejudice caused to him, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

8. Accordingly, the appeal is dismissed.

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

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

September 11, 2025*Varinder*

Whether speaking/reasoned : Yes

Whether reportable : No