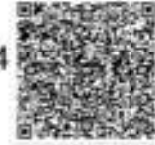


2026.PHHC.032494



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

CWP-2474-2026 (O&M)
Date of Decision: 27.02.2026

Gurbachan Singh and another

..... Petitioners

Versus

Superintending Engineer, Ferozepur and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Judgepreet Singh Warring, Advocate
for the petitioners.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, seeking a writ in the nature of Certiorari for setting aside the order dated 03.02.2025 (Annexure P-7) passed by the learned Superintending Engineer, Ferozepur Canal Circle, Water Resources Department, Punjab, Ferozepur, whereby the supply of additional water to the orchard/garden of the petitioners has been cancelled on the ground of non-existence of the orchard-garden at Outlet R.D. No.86994/R Arniwala Rajbaha, Village Mulianwali.

2. At this stage, Mr. Harpreet Singh, Assistant Advocate General, Punjab, appears on behalf of the respondent/State, in pursuance of the advance copy of paper book having already been supplied to him. He has handed over in Court a copy of Notification dated 02.12.2025 issued by the Government of Punjab, Department of Water Resources, which is taken on record, subject to all just exceptions.

3. The said Notification dated 02.12.2025 issued by the Government of Punjab, Department of Water Resources, reads as under:-

“
GOVERNMENT OF PUNJAB
DEPARTMENT OF WATER RESOURCES
NOTIFICATION

No: WR-1RWR010/100/2025-1W2/2484 **Date:** 02.12.2025

1.0 In exercise of the powers conferred under Section 60(2) (e) of the Punjab Canal and Drainage Act, 2023 and Rule 80 of the Punjab Canal and Drainage Rules, 2025 and all other powers enabling him in this behalf, the Governor of Punjab is pleased to incentivise the plantation of new orchards and promotion of micro-irrigation as under:

I. Water allowance for new orchards shall be 1.28 times the regular sanctioned water allowance only for farmers adopting micro-irrigation.

II. All existing orchards as on date of notification will continue to receive water as per already sanctioned water allowance. Further, in case new plants are raised by anyone over the existing orchards either due to the life of existing trees has come to end or otherwise, water allowance of 1.28 will be applicable on replantation of new trees with the condition that micro-irrigation system shall be installed.

Dated, Chandigarh

Krishan Kumar
Principal Secretary, Water Resources
Department of Water Resources

Endst No:WR-1RWR010/100/2025-1W2/2484/1

Dated, Chandigarh 02.12.2025

”

4. Learned State counsel, while referring to the aforesaid Notification dated 02.12.2025, submits that in case the petitioners require any extra supply of canal water for their orchard/garden then they can apply afresh and their case would be considered in terms of the said notification, subject to their compliance with the terms and conditions mentioned therein.

5. Learned counsel for the petitioners has not opposed the aforesaid course of action being adopted.

6. In view of the aforesaid submissions made by learned counsel for the respective parties, the present writ petition stands disposed of with liberty to the petitioners to apply afresh for grant of extra supply of canal water for orchard/garden; and in case any such request is made by the petitioners, within a period of three weeks from today, the same shall be considered by the concerned/competent authority, keeping in view the relevant provisions of the Punjab Canal and Drainage Act, 2023, read with Rules framed thereunder and/or Rules for Extra Supply of Canal Water for Gardens and Orchards, 1946, and also the above referred Notification dated 02.12.2025, within a period of six weeks from the date such application is submitted by the petitioners.

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

27.02.2026
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No