



LPA-825-2026 (O&M)

-1-

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

108

LPA-825-2026 (O&M)

Date of Decision :25.03.2026

Harnam Singh and others**...Appellants**

Versus

State of Haryana & others**...Respondents**

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

Present: Mr. Aazam Khan, Advocate for the appellants.

* * *

Harsimran Singh Sethi, J. (Oral)

CM-2068-LPA-2026

1. Present application has been filed for condonation of delay of 200 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 200 days in filing the present appeal is condoned.

LPA-825-2026

3. In the present appeal, the challenge is to impugned order dated 05.08.2025 passed by the learned Single Judge of this Court in CWP-10504-2025 by which, the order dated 14.04.2022 (Annexure P/2) passed by the Superintending Canal Officer, Sirsa as well as dated 03.01.2025 (Annexure P/3) passed by the learned Chief Canal Officer, Panchkula have been upheld.



4. Learned counsel for the appellants submits that the orders passed by the authorities concerned are incorrect as, the capacity of the water outlet from where the water was being sought by respondents was already at its full capacity, which fact has been ignored by the authorities as well as by the learned Single Judge hence, shifting of the area (12.27 acres) belonging to respondents from chak of outlet at RD-64780-R Moujgarh Distributory to chak of outlet at RD-67000-L Moujgarh Distributory is not correct.

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

6. It may be noticed that the findings have been recorded by the Irrigation authorities that the maximum capacity of water which can be distributed from a water outlet is fixed by keeping 10% buffer and in the present case, the outlet to which area belonging to respondents is to be irrigated can easily handle 795 acres of area for irrigation purpose whereas, in the present case, even after including the demand of the respondents to transfer their land to be irrigated from said outlet, the same will come to 735 acres. The said finding has not been rebutted by the learned counsel for the appellants.

7. Further, no prejudice caused to the appellants have been shown either before the learned Single Bench or before this Court in appeal. The interference in appeal can only be done in case the order passed by the learned Single Judge is perverse either on facts or law. In the present case, no such perversity in the impugned order on the basis of the facts on record has been pointed out by the learned counsel for the appellants. Hence, no



LPA-825-2026 (O&M)

-3-

interference at the hands of this Court is called for and the present appeal is accordingly dismissed.

CM-2069-LPA-2026

8. Present application has been filed for leading additional evidence by way of Annexures A-1 and A-2.

9. It may be noticed that though, the additional evidenced is being sought to be brought on record but, nothing has come on record that such evidence was not available with the appellants before the order was passed by the competent authority.

10. Furthermore, in the main appeal which has also been decided, no prejudice caused to the appellants have been shown to this Court hence, no ground for allowing the present application is made out and the same is accordingly dismissed.

11. Any other civil miscellaneous application if pending, is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

March 25, 2026

aarti

Whether speaking/reasoned : Yes

Whether reportable : No