



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

CWP-10186-2026

Date of Decision:08.04.2026

Ranjit Singh and another

.....Petitioners

Versus

Divisional Canal Officer, Bathinda Canal Division,
Bathinda and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present:- Mr. Deepak Aggarwal, Advocate
for the petitioners.

Mr. Navneet Singh, Addl. A.G. Punjab.

Mr. Judgpreet Singh Warring, Advocate
for respondent No.6.

HARSH BUNGER J. (ORAL)

Prayer in the present writ petition filed under Article 226 of the Constitution of India, is for issuance of a writ in the nature of Certiorari for setting aside the order dated 16.10.2025 (Annexure P-4) passed by the learned Sub Divisional Officer, Canal Sub Division, Bathinda and also the order dated 04.02.2026 (Annexure P-6) passed by the learned Divisional Canal Officer, Bathinda.

2. The operative part of the order dated 04.02.2026 (Annexure P-6) passed by learned Divisional Canal Officer, Bathinda, reads as under:-

“ x - x - x - x -

The case was again considered on 04.02.2026. As per the record and the spot inspection CD is a regular water course (Pakka Khal) 4 inches which is constructed about 20 years ago. This Khal CD is in a bad condition. The right wall of the Khal is in a bad condition and has fallen. At point DE there is no Khal present. There is a passage (Pahi) on the spot. From point E to F, in continuation of CD there is temporary water course (Kacha Khal). In the Barabandi on the point CD and EF the last outlet is at point F from which it is prove that the Khal CDEF was in operation and therefore this court uphold the order dated 16.10.2025 passed by the court of Sub Divisional Officer Bathinda and while mentioning the water course CDEF, Sub Divisional Officer, Bathinda, Canal Sub Division, Bathinda is directed that since the Barabandi water course is in the passage and to maintain the irrigation by the farmers and to maintain government passage, underground pipes be considered because technically pipeline can be laid from point C. This order is passed u/s 20(4) of Punjab Canal and Drainage Act, 2023.

Order pronounced today at 04.02.2026 at Bathinda.”

3. Learned counsel for the petitioners submits that from the operative part of the above extracted order, it cannot be deciphered as to whether the observations made therein are in the nature of ‘direction’ or are only a ‘suggestion’.

4. At this stage, Mr. Navneet Singh, Addl. A.G. Punjab, appears on behalf of the respondents-State, in pursuance of the advance copy of paper

book having already been supplied to the State of Punjab. He submits that the above extracted order is in the nature of ‘direction’; and that the proceedings have already been initiated by directing the concerned authorities to prepare the estimate. He further submits that the requisite action would be taken expeditiously.

5. Keeping in view the aforesaid stand taken by learned State counsel, no further order is required to be passed and the present writ petition is disposed of, accordingly.

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

08.04.2026*Pd***(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No