



CWP-25397-2025 (O&amp;M)

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134 (Through Video Conferencing)

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

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**CWP-25397-2025 (O&M)  
Date of Decision: 17.09.2025**

Ishwar Dev and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. Hakam Singh, Advocate  
for the petitioners  
(through video conferencing).

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**HARSH BUNGER J. (ORAL)**

The present petition has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Certiorari for quashing of notice(s) dated 17.02.2025 (Annexure P-3) issued by respondent No.9- Sub Divisional Officer, Panjuana, District Sirsa, restraining the petitioners from extracting water from the Ratta Khera Kharif Channel using electric motors.

2. On advance service of copy of petition, Ms. Upasana Dhawan, AAG, Haryana appears on behalf of the respondent/State.

3. Learned State counsel submits that in pursuance of the notice(s) dated 17.02.2025 (Annexure P-3), the petitioners had submitted their reply(ies) and after considering the matter, the Sub Divisional Officer, Panjuana, District Sirsa has passed an order dated 15.09.2025. A copy of aforesaid order dated 15.09.2025 has been handed over in Court today, which is taken on record, subject to all just exceptions, the relevant extract of which



reads as under:-

*“This speaking order is being issued in compliance of judgement of Hon'ble Punjab & Haryana High Court, Chandigarh on dated 21.05.2025 in CWP No. 14708/2025 titled as Ishwar Dev & Others V/s State of Haryana. The reply of notice no. 16-N & 24-N dated 17.02.2025 has been submitted by petitioners on dated 05.06.2025, whereby this office was directed to consider and decide the reply received on dated 05/06/2025 submitted by the petitioners, after consideration undersigned has decided that: -*

*1. The committees of Chief Executive Officer, Zila Parishad Sirsa and Executive Engineer, Sirsa W/S Division, Sirsa constituted by worthy Deputy Commissioner, Sirsa vide Endstt. No. 2797-98/1-S dated 18.05.2025 has already decided the matters and following decisions were unanimously made: -*

- I. All permanent pipes installed in the channels shall be removed throughout the Rattakhera Kharif Channel.*
- II. No one shall lift flood water using electric motors throughout the Rattakhera Kharif Channel.*
- III. Farmers may lift the floodwater from the Rattakhera Kharif Channel using tractor mounted pumps (tractor barma) only throughout the Rattakhera Kharif Channel.*

*Moreover, in compliance of CWP 16397 of 2025 titled as Jagdish and others V/s State of Haryana, the speaking order passed by Executive Engineer, OP City Division DHVBN Sirsa letter No. 6429/30/AA-31 dated 01.07.2025 the electricity connection granted to the petitioner is solely for drawing groundwater (earth water) and not for lifting canal or floodwater. As per Nigam norms, there is no provision to permit the use of agriculture electricity connections for extracting canal water. This position has been clarified earlier vide instructions issued by the CE/ Commercial, DHVBN Hisar Memo No. Ch-56/SE/C-94/2004 Vol-I dated 19.09.2017.*

*In the above said speaking order the permission to use an electric motor for lifting water from the Rattakhera Kharif Channel cannot be accorded.*



*In view of above said orders, the use of electricity motor for extracting water from the Rattakhera Kharif Channel is not allowed.”*

3.1 A perusal of the above extracted order would show that so far as the electricity connection granted to the petitioners is concerned, it is solely for drawing groundwater (earth water) and not for lifting canal or floodwater. It is further noticed that as per the Nigam norms, there is no provision to permit the use of agriculture electricity connection for extracting canal water and the said position is stated to have been clarified vide instructions issued by the concerned authorities vide Memo dated 19.09.2017. Accordingly, permission to use an electric motor for lifting water from the Ratta Khera Kharif Channel has been declined.

4. In view of the aforesaid order dated 15.09.2025, no further orders are required to be passed in the instant writ petition and the same is accordingly disposed of.

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

**17.09.2025**

*Himani*

**(HARSH BUNGER)**  
**JUDGE**

1. Whether speaking/reasoned : Yes/No  
2. Whether reportable : Yes/No