

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

2025:PHHC:120198-DB



(213)

**LPA-571-2020 (O&M)  
Decided on : 04.09.2025**

Vijender & others

.....Appellant(s)

Versus

Chief Canal Officer, BWS Unit, Haryana Irrigation & Water Resources  
Department, Haryana & others

.....Respondent(s)

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

Present: Mr.R.N.Lohan, Advocate for the appellant (s).

Mr.Sandeep Chhabra, Addl.A.G., Haryana.

Mr.Vikram Singh, Advocate

Ms.Sumitra, Advocate for respondents No.5 to 9.

**HARSIMRAN SINGH SETHI, J. (Oral)**

1. In the present Letters Patent Appeal, challenge is to the order passed by the Learned Single Judge in CWP-7990-2017 dated 13.02.2020 by which, grievance raised by the appellants to the order dated 03.04.2017 passed by the Chief Canal Officer with regard to the grant of outlet RD-80800L instead of outlet at RD-78050L, was declined, which is incorrect, hence, the present appeal.

2. Learned counsel for the appellants argues that while the Chief Canal Officer vide order dated 03.04.2017 has set aside the recommendations made by the Superintending Canal Officer in order dated 27.10.2016 (Annexure P-2) but, the height of the field belonging to appellants, which is higher than adjoining land, which is to be irrigated through the canal, has been ignored by Chief Canal Officer while passing such order, which fact has also not been considered by the Learned Single Judge, which is causing prejudice to the appellants.

3. Learned counsel appearing on behalf of respondents No.5 to 9 submits that though, the order dated 03.04.2017 (Annexure P-3) passed by the Chief Canal Officer has been upheld by the Learned Single Judge vide impugned order dated 13.02.2020, but still, in case any difficulty is faced by the appellants, liberty is given to them to approach the Canal Authority for redressal of the same and therefore, the impugned order dated 13.02.2020 passed by Learned Single Bench needs no interference by this Court.

4. Learned State Counsel submits that, as of now, the appellants are getting the water from outlet RD-80800L for purpose of irrigation of their land and 5 years have been passed since the land is being irrigated by the outlet in question, and in case, if any difficulty is being faced by appellants so as to irrigate the land, they have the liberty to challenge the outlet RD-78050L, and if such representation is made by appellants so as to irrigate the land, keeping in view the height of the land, the same is not being irrigated from said outlet, due consideration will be given to the said fact by the Chief Canal Officer and in case need be, to amend the order dated 03.04.2017 (Annexure P-3), the same will be done.

5. Learned counsel for the appellants submits that the present appeal may kindly be disposed of as having been not pressed, with liberty to file a representation before the Chief Canal Officer, raising their grievance, for his consideration.

6. Ordered accordingly.

7. It is made clear that any such representation is made, all the parties will be heard before passing appropriate order(s).

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**04.09.2025**  
*Sailesh*

**(VIKAS SURI)**  
**JUDGE**

Whether speaking/reasoned : Yes  
Whether Reportable : No