

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Spl. Appl. Writ No. 39/2026

Mahendra Singh S/o Shri Gadshi Ram, Aged About 54 Years, R/o Phephana Tehsil Nohar District Hanumangarh, The Then President Water Consumer Distribution Committee (N.p.3) Khananiya Branch, Siddhmukh Canal Project, Water Resources Division, Nohar

----Appellant

Versus

1. State Of Rajasthan, Through Secretary, Department Of Irrigation, Government Of Rajasthan, Jaipur.
2. Chief Engineer, Water Resource (North), Hanumangarh.
3. Executive Engineer, Rw Srp, Division, Nohar District Hanumangarh.

----Respondents

For Appellant(s)	:	Mr. CS Kotwani with Mr. Avdhesh Parashar
For Respondent(s)	:	Mr. Devesh Mehra for Dr. Praveen Khandelwal,AAG

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJVEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU
Order

25/02/2026

1. Heard learned counsel for the parties.
2. The present appeal has been filed against the order dated 04.11.2025 whereby the writ petition has been dismissed.
3. The precise grievance of the appellant is that the decision of the respondents to operate APM (Adjustable proportional Module) locking system on the distribution of water is not in accordance with law.
4. The learned counsel for the appellant vehemently submitted before this Court that the implementation of the APM locking system is in violation of Rule 11 of the Rajasthan Irrigation and Drainage Rules, 1955. He submits that it is within the sole domain of the State Government to implement such system, whereas in

the present case, the locking system/arrangement of the APM has been installed by the order of the Chief Engineer. The learned counsel further submits that by operation of such system the agriculturists of the area will be deprived of their share of water and the standing crops will suffer irreparable damage. He therefore, prays that the present appeal may be allowed and order dated 04.11.2025 may be quashed and set aside.

5. The learned counsel for the respondents while opposing the submissions made by learned counsel for the appellant submits that the locking system/arrangement of the APM is in operation so as to avoid the excessive water to be given to those farmers/agriculturists for whom the supply of water is not intended to be given. The learned counsel submits that if the water supply is given for a particular agriculturist without operation of this locking system then water will flow into the fields of agriculturists/farmers for whom the turn is not scheduled. Therefore, in order to curb the excessive water supply to those farmers, who are not having water turn, the present mechanism is being implemented. The learned counsel further submits that Chief Engineer is well within its rights to provide the water to all the farmers/agriculturists as per their water turn and as per the quantity they are actually entitled to. By way of adopting the present system, the excessive water, which is flowing in the fields of those persons whose water turn is not there will be curbed. He assures this Court that by operation of this system no farmer will be deprived of the water for which he is actually entitled to. He therefore submits that the order passed by learned Single Bench

dated 04.11.2025 is just, proper and correct and calls for no interference.

6. We have considered the submissions made at the bar and have gone through the relevant record of this case including the order dated 04.11.2025. The operation of the locking system/ arrangement of APM is adopted for the purpose of equal distribution of water to every agriculturist and the purpose to install this system is to regulate the watercourse as per the turn of the respective groups of the agriculturist and to deny the water supply to those agriculturist whose turn is not there.

7. In the considered opinion of this Court, the operation of this system will ensure equitable distribution of water to all the agriculturists in the area. Further, in the opinion of this Court the Chief Engineer is competent to operate a system, whereby he can make sure that the distribution of water is available to all the agriculturists in the proportion for which they are entitled to by operating the watercourse as per their turn.

8. Therefore, no illegality can be found in the decision taken by the Chief Engineer. Further, we note that the decision to operate the locking system/ arrangement of the APM is in the larger public interest for equal distribution of the water to all the agriculturists not permitting any undue advantage to a particular group.

9. In view of the above, there is no merit in the present appeal, therefore, the same is dismissed.

10. All pending applications also stand disposed off.

(BALJINDER SINGH SANDHU),J (SANJEEV PRAKASH SHARMA),ACJ