

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

LPAOW No. 05/2011

Neelam Raj Baigra and others

.... Petitioner/Appellant(s)

Through:- Mr. K.S. Johal, Sr. Advocate with
Mr. Supreet Singh Johal, Advocate.

V/s

State of J&K and others

.....Respondent(s)

Through:- Mr. Ravinder Gupta, AAG.

CORAM: HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE
HON'BLE MR. JUSTICE MOHAN LAL, JUDGE

ORDER

21.10.2023

01. The appellant has approached this Court in a writ petition bearing OWP No. 170/2008 seeking a direction to the respondents to change the alignment of Gladny Transmission Line at Tower No. 127 of 220 KV Gladny-Udhampur Transmission Line, situated at Village Dalah, 4th No. Tower, i.e., from Grid Station, Udhampur. A further direction was also sought for not laying the transmission line over the houses of the inhabitants of Village Dalah, near Housing Colony, Udhampur on the Gladny-Udhampur Transmission Line Tower No. 127 situated at Village Dalah, Udhampur, i.e., 4th No. Tower from Grid Station Udhampur.

02. This writ petition was heard and dismissed vide judgment and order dated 01.02.2011 by holding that:

“In the present case, even though there is no threat to the life of the petitioners, the laying down of the Transmission Line over an aerial

space is not likely to cause any threat to the life of the petitioners. If there is any mishap or negligence in this behalf, the petitioner will be well within their rights to claim compensation for the same.

In view of what has been said above, I do not find any substance in this writ petition, which is, accordingly, dismissed.

Interim directions issued shall stand vacated.”

03. The appellants, aggrieved of the order of the learned Single Judge dated 01.02.2011, preferred the present appeal for setting aside the same. Vide interim order dated 14.02.2011, notice was issued and it was observed that except supplying energy in all the transmission lines, the respondents are allowed to carry out all other activities with regard to stringing of transmission lines.

04. During the pendency of this appeal, the parties have entered into an amicable settlement with each other.

05. Mr. Bavinder Kundal, Chief Engineer, JKPTCL, PDD, Jammu, is present in person and has submitted that they have conducted a survey for shifting/re-routing of sub judice section of line and, accordingly, after following due course of procedure, re-routing of line was planned and Letter of Award was awarded on 15.06.2021. The portion of 220 KV in the disputed area is still un-energized and shall be energized after re-aligning though new route and dismantling of disputed portion will be done after energization. It is also stated in the said communication that the shifting work is under progress and turnkey contractor is directed to complete the work at the earliest.

06. The communication dated 21.07.2023, produced by Mr. Ravinder Gupta, learned AAG, is taken on record.

07. In view of the statement of Chief Engineer and the communication dated 21.07.2023, the grievance of the appellant stands redressed and the LPA is, accordingly, disposed of.

(Mohan Lal)
Judge

(Sindhu Sharma)
Judge

Jammu:

21.10.2023

Michal Sharma

