

GAHC010085722022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/3051/2022

RAMESH CH DAS AND 2 ORS.
S/O LT. DHANESWAR DAS, VILL. BISHNUPUR, NADIRPAR GOAN, P.O. AND
P.S. HAJO, DIST. KAMRUP (R) ASSAM

2: DINESH CH. DAS
S/O LT. TITHI RAM DAS
VILL. DHUPARGURI
P.O. AND P.S. HAJO
DIST. KAMRUP (R) ASSAM

3: MONORANJAN THAKURIA
S/O LT. SINDHURAM THAKURIA
VILL. DHUPARGURI
P.O. AND P.S. HAJO
DIST. KAMRUP (R) ASSA

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
(ELECTRICITY) DEPTT. DISPUR GUWAHATI-6

2: THE MANAGING DIRECTOR
POWER GRID CORPORATION NORTH EASTERN REGION
POWER SYSTEM IMPROVEMENT PROJECT PUB SURAJ NAGAR NATUN
BAZAR
UDALBAKRA
KAHILIPARA
GUWAHATI-09

3: THE GENERAL MANAGER
POWER GRID CORPORATION NORTH EASTERN REGION POWER SYSTEM
IMPROVEMENT PROJECT AMINGAON

4:THE MANAGING DIRECTOR
APDCL
BIJULEE BHAWAN
PALTANBAZAR
GUWAHATI-1

5:THE CIRLCE OFFICER
HAJO REVENUE CIRLCE
HAJO
KAMRUP ASSA

For the Petitioner(s) :

For the Respondent(s) : Mr. N.C. Das, Senior Advocate

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 06.11.2024

None appears on behalf of the petitioners on call.

2. Heard Mr. N.C. Das, the learned Senior Counsel, assisted by Ms. M. Devi, the learned counsel appearing on behalf of the Power Grid Corporation of India being the respondent Nos. 2 and 3.

2. Mr. N.C. Das, the learned Senior Counsel, on behalf of respondent Nos. 2 and 3 submits that as the work in question has already been completed, the petitioners if aggrieved can only resort to seeking compensation in terms with the provisions of Section 10(D) of the Indian Telegraph Act, 1885. Taking into account the above, and also upon perusal of the materials on record including the stand taken by the respondents in the affidavit, this Court is of the opinion that if the petitioner is aggrieved by the acquisition and the violation of their rights

under Article 300 A of the Constitution, the petitioner can take due recourse under the Provisions of Section 10(D) of the Indian Telegraph Act, 1885.

3. With the above observations, the instant writ petition stands closed.

JUDGE

Comparing Assistant