

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.17396 of 2026

Date of Decision: 01.10.2026

The Sukhjit Starch and Chemicals Ltd.	Petitioner
Versus	

State of Himachal Pradesh & Ors.	... Respondents
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Coram:

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? ¹

For the Petitioner:	Mr. Shriyek Sharda, Advocate.
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For the Respondents:	Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for respondents No.1 & 4-State.
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Mr. Vinay Kuthiala, Senior Advocate with Mr. Shubham Sood, Advocate, for respondents No.2 & 3.

Mr. Aman Sood, Advocate, for respondent No.5.

Sandeep Sharma, Judge(oral):

Precisely, the grouse of the petitioner, which is a company incorporated under the Companies Act, having its office at Rehana Jattan, Tehsil Phagwara, District Kapurthala, and is presently engaged in the production of maize starch as well as its derivatives, is that without there being any notice, high-tension wire is being laid over its premises, as a result thereof there is an imminent threat of fire

¹*Whether the reporters of the local papers may be allowed to see the judgment?*

as well as danger to the lives of the workers working in the factory and husk, which is used as fuel for the production of maize starch.

2. Mr. Vinay Kuthiala, learned Senior Counsel, duly assisted by Mr. Shubham Sood, Advocate, who has put in appearance on behalf of respondents No. 2 and 3, which are otherwise responsible for laying the high-tension line, states that petitioner has not approached this Court with clean hands for the reason that public notice with regard to laying of the high-tension line in the area concerned was published in the daily newspaper 'The Tribune' on 16.10.2024. While making this Court peruse the aforesaid notification, Mr. Kuthiala states that people of the area were made aware through the aforesaid notification that in case they wanted to ascertain the route of the line, they could come and see the record in the office of HPPTCL at Tahliwal.

3. To the contrary, Mr. Shriyek Sharda, learned counsel representing the petitioner, submits that for the first time, notice with regard to laying of the high-tension power line came to be issued to the petitioner on 25.09.2026 and thereafter, it immediately filed a representation dated 26.09.2026 before respondent-HPPTCL, praying therein for realignment, but since respondents No. 2 and 3 are insisting on laying the line over the premises of the petitioner-company, it has approached this Court in the instant proceedings.

4. Though Mr. Vinay Kuthiala, learned Senior Counsel representing respondents No. 2 and 3, states that there is ample material available on record suggestive of the fact that the petitioner-company was very much in the know of the fact that high-tension power line was being laid over its premises and towers had been constructed, but yet the present petition has been filed as a pressure tactic, however, prayer made by the petitioner through its representation, if not already decided, shall be decided expeditiously. He further states that, besides deciding the representation, this Court may also direct the Deputy Commissioner, Una, to visit the site and pass orders on the application filed by the respondent-Corporation.

5. Since representation filed by the petitioner is pending consideration before respondents No. 2 and 3, it may not be appropriate for this Court to intervene at this stage and as such, without going into the merits of the case, this Court deems it fit to dispose of the same with a direction to respondents No. 2 and 3 to decide the pending representations of the petitioner (Annexures P-8 and P-9) within a period of 10 days from today and at the same time, the Deputy Commissioner, Una, who is represented by learned Deputy Advocate General, may also decide the application filed by respondents No. 2 and 3 and if required, the aforesaid authority may visit the spot for inspection before passing an order on the application

filed by the respondent-Corporation. Ordered accordingly. Needless to say, the authority concerned, while doing the needful in terms of the instant order, shall afford an opportunity of hearing to the petitioner and pass appropriate orders. Learned Senior Counsel representing respondents No.2 & 3 fairly states that till the time representation filed by the petitioner is decided, no steps shall be taken to lay/string the wires over the premises of the petitioner-company. Pending applications, if any, also stand disposed of.

**(Sandeep Sharma),
Judge**

October 01, 2026
(Sunil)