

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

CWP No. 1667 of 2000 (O&M)

Date of decision : 5.5.2017

Ranjodh Singh

.. Petitioner

versus

State of Punjab and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
 Hon'ble Mr. Justice Harinder Singh Sidhu**

Present: Mr. Arun Jain, Senior Advocate with
 Mr. Sunil Sharma, Advocate, for the petitioner.

Mr. P.S. Bajwa, Additional Advocate General, Punjab.

Rajesh Bindal, J.

The grievance of the petitioner is that his land was taken by the respondents for erection of towers and laying power lines, however, no compensation was paid. In reply, the stand was that compensation of ₹ 1,227/- was paid to the petitioner through cheque dated 17.2.2000, after filing the present petition, on account of loss of standing crop on the land in dispute. Reference has also been made to certain provisions of the Electricity (Supply) Act, 1948 and the Indian Telegraph Act, 1885, under which schemes are prepared, right to use is acquired, compensation assessed and paid. It has further been mentioned that in case the dispute arises regarding sufficiency of compensation, the matter can be raised by filing an application before the District Judge of the District concerned.

After hearing learned counsel for the parties and considering the fact that admittedly the land owned by the petitioner has been utilized for erection of towers and transmission lines, he needs to be compensated.

A sum of ₹ 1,227/- has been paid to him after filing the present petition.

Remedy has been provided under the Indian Telegraph Act, 1885 that in case, the landowner is not satisfied with the amount of compensation awarded, application can be filed before the District Judge of the District concerned, where the property is situated. As for determination of compensation evidence may have to be led and appreciated, we deem it appropriate to relegate the petitioner to avail of that remedy. In case, the petitioner files application before the District Judge within a period of two months from the date of receipt of copy of the order, the same shall be entertained and decided on merits on the basis of evidence led by the parties.

The petition stands disposed of accordingly.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

5.5.2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No