

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

(209)

CWP-10781-2014

Decided on: May 18, 2017.

Baldev Singh

.... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. J.S. Cooner, Advocate, for the petitioner.

Mr. Gaurav Jindal, Addl. A.G., Haryana.

Mr. Abhishek Singla, Advocate, for respondents No. 2 to 5.

M.M.S. BEDI, J (ORAL)

This writ petition has been filed by the petitioner for issuance of a direction to respondent No.2 Uttar Haryana Bijli Vitran Nigam to connect the petitioner for the purpose of electricity supply of the residential house with Rural Domestic Supply Feeder instead of Agriculture Feeder under the Dera Dhani Scheme under which the petitioner has already deposited the requisite amount of Rs.7000/- and Rs.5,723 on different dates.

Learned counsel for respondents No.2 to 5 submits that respondents No. 2 to 5 have got no objection to grant the benefit of the circular Annexure P-6 dated 28.10.2013 on the subject of connecting electrified Dhanis to the Rural Domestic Supply Feeder but a difficulty has been expressed for providing the said Supply Feeder as respondents No. 2 to 5 would be required to install additional poles and wires through fields for providing supply under the Dera Dhani Scheme but on account of general opposition by the other residents likely to be offered, it is not feasible to grant the above said connection. It has been prayed that support of local State authorities is required for the said action.

I have heard learned counsel for the parties.

The claim of the petitioner appears to be uncontested, so far as respondents No. 2 to 5 are concerned. So far as the apprehension of the electricity department regarding the resistance by other residents, is concerned, I am of the considered opinion that there is a procedure prescribed under the Electricity Act and the Regulations for compensating the affected parties while opting for the route for providing supply through a particular feeder.

The petition is allowed. A direction is issued to respondents No. 2 to 5 to take necessary steps for connecting the petitioner's supply from Rural Domestic Supply Feeder instead of Agriculture Feeder under Dera Dhani Scheme by following due procedure of law by formulating scheme/inviting objections and installation of poles/pillars/wires etc. after providing compensation and opportunity of hearing as per rules, expeditiously and the other provisions of the Telegraph Act applicable for the installation of wires and poles.

In case any cost/additional cost is to be paid, the petitioner will be liable to discharge the said liability.

(M.M.S. BEDI)
JUDGE

May 18, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No