

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.16259 of 2015(O&M)

Date of Decision: 01.03.2017

Nasib Chand Bawa

.....Petitioner

Vs.

Punjab State Power Corporation

Ltd. and others

.....Respondents

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

Present: Mr.Kamalpreet Bawa, Advocate for
Mr.B.S.Bhalla, Advocate for the petitioners.

Mr.B.S. Mittal, Advocate and
Ms.Meena Bansal, Advocate for the respondents.

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

The petitioner has filed this writ petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus restraining the respondents not to install any electricity tower, pole and wire through the agricultural land of the petitioner.

It is claimed that the proposed lines chosen for installing electricity towers, poles and wires have been deviated unilaterally.

The stand of the respondents is that a public notice was duly published in 'Punjabi Tribune' newspaper on 12.05.2015 inviting objections, but no objection was submitted within a period of two months as per notice. It has been averred in the written statement that there is a proposal for carving out 66 KV electric line from 220 KV Sub-Station, village Himmatpura to 66 KV Sub-Station village Diwana for electricity demand of general public of that area. The estimate for installation of towers, sagging etc. has been approved by the Chief Engineer. The route plan has also been

duly sanctioned and approved by the competent authority and for the said purpose, work for stubbing for installation of towers has already been commenced.

After hearing counsel for the petitioner as well as counsel for the respondents, it transpires that the petitioner has not placed on record any authenticated and approved site plan for installation of any electricity tower, pole or wire for high tension load, but even if it is presumed that site plan Annexure P-1 is correct, the remedy available for the petitioner is to file a civil suit, as the provisions of Electricity Act 2003, provide adequate safeguards to the petitioner for grant of compensation and filing of objections.

Since the petitioner has approached this Court without availing alternative remedy, as available to him, present writ petition is dismissed as not maintainable, without prejudice to the right of the petitioner to avail appropriate remedy for seeking or availing compensation having been utilized raising any pillar, pole or tower.

(M.M.S.BEDI)
| **JUDGE**

01.03.2017
ANJAL

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No