

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.23323 of 2015

Date of decision: August 10, 2017

Kartar Singh & another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Dilpreet Singh Gandhi, Advocate for the petitioners.
Mr. Vikas Mohan Gupta, Addl. Advocate General, Punjab.
Mr. Vikas Chatrath, Advocate for respondent No.2.

Rajan Gupta, J.

Petitioners have sought a direction to respondents No.2 & 3 to give an award for installation of tower for transmission of electricity line over the land of the petitioners.

Petitioners have urged before the court that overhead lines were laid down by the officials without acquiring the land or paying compensation in respect thereof.

Reply has been filed on behalf of the Corporation. According to it, the matter relates to laying down of 220 KV line from Balachak to Naraingarh. Before proceeding ahead, the Corporation issued notification dated 5.3.2014 and published the same in two leading news papers. Objections were invited from the public by way of said publication. It was made clear that no objection/representation would be entertained after expiry of period of two months as the project was time bound. The

petitioners, however, failed to file any representation. They did not avail any remedy for redressal of their grievance, if any. Despite this, compensation was worked out, which was paid to the petitioners, who had accepted the same without any demur. A sum of Rs.16,606/- was paid to the petitioners in respect of Tower No.45, erected on their land. Petitioners accepted the same without any protest. In addition to this, compensation amounting to Rs.12,606/- was also paid to the petitioners for damage of crops during erection of superstructure of tower.

On due consideration of the matter, I find no merit in the petition. The jurisdiction of the corporation to erect poles for transmission of electricity is unfettered. It does not require prior approval of the owners before starting the project, particularly when no bias is alleged. Besides, it is clear that notification was duly issued and publication was made in two leading news papers. Compensation was also worked out and paid to the petitioners. Additional amount was also paid for damage to the crop during erection of the superstructure of tower. The matter does not call for interference in writ jurisdiction. The petition is hereby dismissed.

(RAJAN GUPTA)
JUDGE

August 10, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No