

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 4381 of 2013

Date of decision : July 18, 2017

The Gram Panchayat of Village Batta, Tehsil & District Kaithal and others

..... **Petitioners**

Versus

The Haryana Vidyut Prasaran Nigam Ltd. and others

..... **Respondents**

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Mr. Kulwant Singh, Advocate
for the petitioners.

Mr. Varun Issar, Advocate and
Mr. P. S. Poonia, Advocate
for the respondents.

RAKESH KUMAR JAIN, J (oral).

This petition is filed for seeking a direction to the respondents to comply with the decision of the Board of Directors of HVPNL-respondent No.1 in terms of letter dated 31.8.2012 (Annexure P-8) to provide the independent Feeder from the 8 MVA Transformer installed on the 220 KV Sub Station of Village Batta for supply of electricity to its residents and to comply with the terms and conditions of the registered lease deed dated 18.7.2008 (Annexure P-2) by which 12 acres of land of village Batta was given by petitioner No. 3 to the HVPNL-respondent No.1 on lease for a period of 99 years @ Rs.1/- per year for construction of 220 KV Sub Station, Batta District Kaithal. The basic grievance of the petitioner is for un-interrupted 24 hours supply of electricity to the village by HVPNL.

During the course of hearing, the respondents were directed to file affidavit, vide order dated 4.4.2016, as to whether they are

P-2. The Chief Engineer, Transmission System, HVPNL, Panchkula, on behalf of the Managing Director, HVPNL, filed his affidavit dated 31.5.2016, agreeing to provide 24 hours electricity supply to the village in view of the land made available to them on lease on a nominal price of Rs.1/- per year. The grievance of the petitioner is still that in the minutes of meeting dated 27.5.2016. Clause 8 has been incorporated as per which the petitioner has to incur the expenses whereas counsel for the respondent-HVPNL has submitted that the said clause would not be applicable to the petitioner rather they are relying upon clause 12 and 13 which read as under :-

“Clause 12: The village/Gram Panchayat who provide land for 33 KV and above sub station free of cost will not be asked to deposit the cost of 11 KV line required to feed their villages on the urban mode. However, the line cost will be a part of the sub station Project Cost.

13. The facility of urban mode shall be made available to only those villages/towns whose Gram Panchayat agrees to laying of HVDS in the village/town.”

Counsel for the petitioner has submitted that he has no objection to comply with the aforesaid two conditions, namely, Clause 12 and 13 of the minutes of meeting. In view thereof, counsel for the petitioner has submitted that the present petition has become infructuous.

Dismissed as having been rendered infructuous.

(RAKESH KUMAR JAIN)
JUDGE

July 18, 2017
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No