

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.29267 of 2017
Date of Decision: 22.12.2017

Savitri Devi and another

. Petitioners

Vs.

The District Magistrate, Sirsa and others

. Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Gaurav Chopra, Advocate,
for the petitioners.

Mr.Saurabh Mohunta, DAG, Haryana.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioners have prayed for the issuance of a direction to respondents No.1 & 2 to perform the statutory duties in terms of Section 67 of the Electricity Act, 2003 [for short 'the Act'] and Rule 3 of the Works of Licensees Rules, 2006 [for short 'the Rules] by deciding the letter/objections submitted by the petitioners against the erection of transmission towers on their land.

Following order was passed by this Court, at the time of preliminary hearing of this case, on 20.12.2017: -

The basic grievance of the petitioners is that in case of any objection raised by the owner of the land in regard to laying down of the electricity supply line then those objections have to be decided in terms of the provisions of the Works of Licensees Rules, 2006 dated

18.04.2006 formulated by the Government of India, Ministry of Power.

It is submitted that the petitioners had raised the objections before the Deputy Commissioner-cum-District Magistrate, Sirsa by way of a representation dated 13.11.2017 (Annexure P-4) which was received on the same day, but no action has been taken in this regard.

Notice of motion to respondents No. 1 and 2 only at this stage.

On the asking of the Court, Mr. Saurabh Mohunta, DAG, Haryana, accepts notice on behalf of respondents No. 1 and 2.

Adjourned to 22.12.2017.

To be shown in the urgent list.”

Learned counsel for the State has submitted that the objections of the petitioners shall be decided by the District Magistrate, Sirsa in terms of the provisions of the Act and the Rules, whereas learned counsel for the petitioners has submitted that it may be ordered to be decided expeditiously but till then the transmission towers on the land of the petitioners may not be erected.

Keeping in view the facts and circumstances of the case, the present petition is hereby disposed of with a direction to the District Magistrate, Sirsa to decide the objections (Annexure P-4) filed by the

petitioners, in accordance with law, within a period of 7 days from the date of receipt of certified copy of this order.

Till then the status qua as it exists today in regard to erection of transmission of towers on the land of the petitioners shall be maintained.

A copy of this order be given to the counsel for the parties under the signature of Special Secretary of this Court, for compliance.

22.12.2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking /reasoned : Yes/No

Whether Reportable : Yes/No