

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 10310 OF 2017

Ibrahim s/o Mohammed Patel

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. S.A.G.Qureshi, Advocate for the Petitioner

Mr. A.V.Gondhalekar, A.G.P. for Respondent No. 1

Mr. Deshmukh, Advocate h/f Mr.D.P.Palodkar for Respondent
Nos. 2 to 4

**CORAM : S.V.GANGAPURWALA AND
A.M.DHAVAL, JJ.**

DATE: MARCH 28, 2018

PER COURT :

1. Mr. S.A.G.Qureshi, learned counsel for the petitioner submits that the respondent Nos. 2 to 4 may be directed to change the alignment of transmission line. The farmer is having standing crops on his land and he is also entitled to four times market price of the land.

2. As far as shifting of alignment of transmission line is concerned, the same is a matter to be dealt with by the expert under the provisions of the statute. A change of tower would

affect the entire alignment and same would not be permissible. The prayer is made by the petitioner to pay the price of the standing crops. The petitioner has remedy under section 16 of Indian Telegraph Act, 1985 before the Collector. The petitioner has also remedy to get the compensation and damages. The government has laid down the manner of calculation of the compensation. The petitioner can avail the remedy to that effect also. The petitioner also has remedy under the statute claiming the compensation, not only of the crops but also of the land, before the competent authority.

3. The petitioner is at liberty to approach the competent authority in that regard.

4. With these observations, the writ petition is disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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