

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 5663/2017

(RATNAKAR KONDU CHAUDHARI & OTHERS VERSUS THE STATE OF MAHARASHTRA & OTHERS)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.J. Mehta, counsel for the petitioners.
Shri A.M. Joshi, A.G.P. for the R-1 & 3.
Shri D.M. Kale, counsel for the R-2.

**CORAM : SMT. VASANTI A NAIK AND
A.D. UPADHYE, JJ.**

DATE : JANUARY 10, 2018.

By this writ petition, the petitioners have challenged the action on the part of the respondent-Company in laying the transmission lines, affecting the fields of the petitioners. The petitioners have also sought a direction to the company to pay compensation to the petitioners for laying the transmission lines.

It is stated on behalf of the petitioners that during the pendency of the writ petition, the authority under Section 16(1) of the Indian Telegraph Act has passed an order permitting the company to lay the transmission lines over the fields of the petitioners. It is stated that the grievance of the petitioners in respect of compensation would still survive.

We are not inclined to entertain the prayer made by the petitioners for a direction against the company to pay compensation to the petitioners, in exercise of the writ jurisdiction. The petitioners are free to avail the alternate remedy to seek the compensation for the loss or damage that may have been caused to the petitioners due to the laying of transmission lines, if so advised.

The writ petition is disposed of with no order as to costs by leaving the point pertaining to compensation, open. Order accordingly.

JUDGE

JUDGE

APTE