

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

202

CWP No.15208 of 2016 (O & M)
Date of Decision: September 26, 2018

Dilbag Singh

.....PETITIONER(s).

VERSUS

State of Haryana and others

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rupender Singh, Advocate for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

Mr. R. S. Longia, Advocate for respondents No.4 to 6.

JASWANT SINGH, J. (ORAL)

The petitioner is seeking a mandamus for directing the Deputy Commissioner, Fatehabad/respondent No.2, Chairman of the Authorities under the Environment Act as also the Dakshin Haryana Bijli Vitran Nigam (DHBVN) for restoring the electric connection of the tube-well of the petitioner in Khasra No.85//12 of village Laloda, Tehsil Tohana, District Fatehabad.

The claim is based on the fact that the electricity connection earlier installed in land owned by the petitioner at Village Nangla, Tehsil Tohana, District Fatehabad was ordered to be transferred in the land owned by him at village Laloda.

The stand of DHBVN was that the electricity connection was transferred and installed at Khasra No.85//12 in village Laloda subject to the petitioner submitting NOC from the Environment Authorities with regard to the permissible water level as also 'No Objection' from the co-sharers.

Since the District Advisory Committee constituted under the Environment Act had not yet taken a final decision regarding issuance of NOC, the electricity connection was made non-operational after issuance of a show cause notice.

This Court vide order dated 07.08.2018 had directed the authorities i.e. the District Advisory Committee, Fatehabad constituted under the Environment Act to take a final decision.

At the time of hearing, learned counsel for the respondent has placed on record a copy of the order dated 28.08.2018 whereby the request for grant of NOC for new tube-well electricity connection has been denied. Copy of the same has been supplied to the counsel for the petitioner.

In view of non-grant of NOC, no relief can be granted in the present writ till the order of NOC is challenged.

Dismissed.

The petitioner is free to challenge the order.

(JASWANT SINGH)
JUDGE

September 26, 2018
A.Kaundal

Whether speaking/reasoned: ***Yes/No***
Whether Reportable: ***Yes/No***