

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

CWP No.11310 of 2018
Date of Decision:11.05.2018

Savitri Devi and another

. Petitioners

Vs.

Haryana Vidyut Prasaran Nigam Limited and another

. Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

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

Mr.B.R. Mahajan, Sr. Advocate, with
Mr.Prateek Mahajan, Advocate,
for the respondents.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioners had earlier approached this Court by way of CWP No.29267 of 2017 after filing objections to the District Magistrate, Sirsa which were not decided. The writ petition was thus disposed of on 22.12.2017 with a direction to the District Magistrate, Sirsa to decide the objections of the petitioners, in accordance with law, within a period of 7 days. However, till then status qua was ordered to be maintained. The District Magistrate, Sirsa vide his order dated 13.2.2018 dismissed the objections of the petitioners. The petitioners availed their remedy of revision under Section 67(4) of the Electricity Act, 2003 read with Rule 3(3) of the Works of Licensees Rules, 2006 before the Haryana Electricity Regulatory Commission, Panchkula [for short 'the HERC'].

They have approached this Court with a prayer that on the one hand their revision has not been listed before the HERC and on the

other hand, the respondents are threatening to erect the transmission tower on his land. Consequently, vide order dated 7.5.2018, notice of motion was issued to the respondents and status quo was ordered to be maintained till then as existing on that day.

Learned senior counsel for the respondents has informed the Court that the revision petition filed by the petitioners is now listed on 22.5.2018 at 11:30 AM before the HERC. Thus, the present petition has become infructuous.

Learned counsel for the petitioners has submitted that till the matter is decided by the HERC on 22.5.2018 status quo granted by this Court on 7.5.2018 may be continued.

Ordered accordingly.

In view of the aforesaid facts and circumstances, the present petition has become infructuous.

It is needless to mention that although the order of status quo passed by this Court on 7.5.2018 has been made operational till 22.5.2018 but in case on 22.5.2018 the hearing of the case is deferred by the HERC, the order of status quo would operate till the next date of hearing before the HERC.

11.05.2018

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking /reasoned : *Yes/No*

Whether Reportable : *Yes/No*