

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CIVIL WRIT PETITION NO.1908 OF 2017

DATE OF DECISION: DECEMBER 13, 2018

Shingara SinghPetitioner

Versus

Punjab State Power Corporation and othersRespondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Naveen Batra, Advocate for the petitioner.

Mr.PC Goyal, Advocate for the respondents.

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TEJINDER SINGH DHINDSA, J.

Shingara Singh, petitioner filed the instant writ petition seeking issuance of a writ of mandamus directing the respondent-Punjab State Power Corporation Limited to change the course of proposed erection of towers from the middle of the land of the petitioner to a more convenient alignment.

Learned counsel for the petitioner placed reliance upon the site plan appended at Annexure P2 along with the writ petition and argued that the proposed alignment is from points 'A' to 'C', whereas it ought to be from points 'A' to 'B'.

On the last date of hearing i.e. 11.12.2018, Mr.Surinder Pal Singh, Deputy Chief Engineer with the Punjab State Power Corporation Limited had assisted the Court and had clarified that the alignment as suggested and proposed by the petitioner i.e. points 'A' to 'B' in the site plan, Annexure P2, would entail erection of more than one tower in the land of the petitioner itself

as opposed to the erection of only one tower from points 'A' to 'C' as per decision of the Corporation. The senior official of the Corporation had taken a stand that the prayer made in the petition would, in fact, be detrimental to the interest of the petitioner himself.

Learned counsel for the petitioner on the last date of hearing i.e. 11.12.2018 and upon clarification and assistance having been rendered by the Deputy Chief Engineer had sought time to complete instructions in the matter. Accordingly, hearing in the petition was deferred to today.

Mr.Batra, learned counsel for the petitioner, during the course of resumed hearing, pleads no instructions. He is not in a position to rebut the stand taken on behalf of the respondent – Corporation as regards the proposed alignment of erection of towers from points 'A' to 'B' in the site plan at Annexure P2 to be detrimental to the interest of the petitioner.

Under such circumstances, no interference in the matter is warranted.

Petition is dismissed.

It is clarified that by virtue of dismissal of the writ petition, the interim order dated 2.2.2017 passed by this Court shall cease to operate.

DECEMBER 13, 2018
SRM

(TEJINDER SINGH DHINDSA)
JUDGE

Note:	<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
	<i>Whether Reportable:</i>	<i>Yes/No</i>