

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.23205 of 2018
Date of Decision:12.09.2018

Amarjeet Singh

..... Petitioner

Vs.

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Harparteek S. Sandhu, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J.

The petitioner has prayed for the issuance of a writ in the nature of certiorari for quashing the order dated 31.7.2018 passed by respondent No.3, quashing the re-revised notification dated 05.06.2017, for the issuance of a writ in the nature of mandamus for restoring the route plan strictly in terms of the notification dated 25.07.2014 and for a direction to change the position/direction of the transmission towers No.TL 34 & TL 35 out of his land.

The petitioner is the owner of land measuring 17 kanal 9 marla situated in Village Chahar, Tehsil and District Ludhiana (West). He had approached this Court by way of CWP No.26537 of 2017 which was disposed of by this Court on 23.5.2018 on the ground that the petitioner has already preferred objections in terms of Rule 3(1)(b) of the Punjab Works Licensee Rules, 2008 [for short 'the Rules'] and a direction was issued to the District Magistrate, Ludhiana to decide the objections within a specified time and till then, it was ordered that the *status quo* shall be maintained. The District Magistrate, Ludhiana rejected the said objections by his order dated 8.6.2018, which was challenged by the petitioner by way of CWP No.17192

of 2018. The contention of the petitioner in that case was that the District Magistrate, Ludhiana has not noticed the contention of the petitioner in his order as a result thereof, the writ petition was allowed on 17.7.2018, the order dated 08.06.2018 was set aside and the matter was remanded back to the District Magistrate, Ludhiana to decide the matter again by passing a well reasoned and speaking order after giving ample opportunity of hearing to the petitioner and also after recording respective contentions of the parties.

The District Magistrate, Ludhiana has now passed the impugned order on 31.7.2018, aggrieved against which the petitioner has filed the present petition and has again prayed that the proposed towers may be shifted from his land but after hearing learned counsel for the petitioner and considering the available record, I am of the considered opinion that there is no reason for this Court to interfere in the impugned order passed by the District Magistrate, Ludhiana, who has considered the technical aspects for the purpose of allowing the Punjab State Power Corporation Limited to erect the transmission towers. Hence, the present petition is hereby dismissed.

12.09.2018

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking /reasoned : *Yes/No*

Whether Reportable : *Yes/No*