

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

LPA No. 2074 of 2017 (O&M)
In CWP No. 9496 of 2015

Date of decision: 4.4.2018

Sadhu Ram Mahant

.. Appellant

vs

State of Punjab and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice B. S. Walia**

Present: Mr. J. S. Lalli, Advocate, for the appellant.
Mr. Vikas Mohan Gupta, Additional Advocate General, Punjab.
Mr. Sahil Sharma, Advocate, for respondent nos. 2 to 4.

Rajesh Bindal, J.

Order passed by the learned Single Judge dated 17.7.2017 has been impugned by filing the present intra-court appeal. In the writ petition, the appellant sought to challenge the scheme/ plan of erecting 66 KV Line from Raikot to Lakha, while suggesting alternative route in terms of which towers can be erected on one side of the land of the appellant.

Legal issue involved in the case has been gone into by Division Bench of this Court in Civil Writ Petition No. 25966 of 2017 Harbans Singh and others vs Punjab State Transmission Corporation Limited and another, decided on 6.12.2017. While referring to judgment of Hon'ble the Supreme Court in The Power Grid Corporation of India Limited vs Century Textiles & Industries Limited and others 2017 (1) Recent Apex Judgments 696, judgment of Nagpur Bench of Bombay High Court in Vivek Brajendra

Singh vs State of Government of Maharashtra and others 2012 (4) BCR

116, and judgment of Andhra Pradesh High Court in G.V.S. Rama Krishna son of Nageswara Rao and others vs A. P. Transco rep. By its Managing Director, Vidyuth Soudha and others 2010 (8) RCR (Civil) 2223, it was opined that no hearing is contemplated before laying of lines. A decision to mark route for laying electric line is a highly specialized and technical. The only right available is to receive compensation and damages, if any, sustained by the landowners, as neither there is acquisition of land nor there is any need of consent of the owners or occupiers.

In view of the aforesaid enunciation of law, we do not find any reason to interfere in the present appeal. The same is accordingly dismissed.

(Rajesh Bindal)
Judge

4.4.2018
vs

(B. S. Walia)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No