

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-3392-2019 (O&M)
Date of Decision: 07.02.2019

Savitri Devi & another

--Petitioners

Versus

State of Haryana & others

--Respondents

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

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

TEJINDER SINGH DHINDSA.J (Oral)

This is the third time over that the petitioners have approached this Court by invoking the extraordinary writ jurisdiction under Articles 226/227 of the Constitution of India.

Briefly it may be noticed that the petitioners are residents of Village Mehna Khera, Tehsil Ellenabad, District Sirsa. Petitioners claim themselves to be marginal farmers and are aggrieved of the decision of the Haryana Vidyut Prasaran Nigam Ltd. in proposing to erect power transmission towers/poles and laying power transmission cables over the land owned by them. It is their contention that there is a barren patch of land adjoining to their land which is owned by Gram Panchayat and which ought to be utilized for the purpose.

Petitioners had filed objections against the decision of the respondent-Nigam and which were rejected vide order dated 13.2.2018 passed by the District Magistrate, Sirsa.

Petitioners having thereafter filed a revision petition under Section 12(4) of the Indian Electricity Act, 1910 assailing the order dated 13.2.2018 passed by the District Magistrate, Sirsa.

Instant writ petition has been filed raising a short grievance that on the one hand the revision petition is not being finally adjudicated upon by the revisional authority and on the other hand the respondent-Nigam is proposing to go ahead with the work of erecting power transmission towers/poles and laying power transmission cables over the land owned by the petitioners.

During the course of hearing today, counsel for the petitioners has very fairly apprised the Court that an actual date of hearing before the revisional authority has been conveyed through an email and which is 18.2.2019.

Under such circumstances, it would not be proper for this Court to go into the merits of the case and opine on the grievance/objections that the petitioners have raised.

Accordingly, the instant writ petition is disposed of with a direction to the revisional authority i.e. respondent no.1 the Additional Chief Secretary, Department of Power, State of Haryana to proceed further with the revision petition preferred by the petitioners in accordance with law and take a decision thereupon expeditiously and after affording an opportunity of hearing to the parties concerned and in any case within a period of ten weeks from today.

Status quo in the meanwhile would be maintained till the final decision is taken by the revisional authority.

It is, however, made clear that this Court has not examined the objections/grievance of the petitioners on merits.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

07.02.2019

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