

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

Date of decision: 19.12.2019

1. CWP No. 3510 of 2019 (O&M)

Shiv Kumar Sharma

.. Petitioner

vs

State of Haryana and others

.. Respondents

2. CWP No. 4671 of 2019 (O&M)

Vijay Parkash Sharma

.. Petitioner

vs

State of Haryana and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajiv Sharma,
Hon'ble Mr. Justice Harinder Singh Sidhu**

Present Mr. Sandeep Singh Ghangas and
Mr. Sunny Vashist, Advocates, for the petitioners.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

Mr. Puneet Jindal, Senior Advocate with
Ms. Neha Anand Mahajan, Advocate,
for respondent nos. 3 to 7.

Rajiv Sharma, J.

This order will dispose of the aforesaid writ petitions as common questions of law and facts are involved therein. However, the facts have been extracted from CWP No. 3510 of 2019.

The petitioner has laid challenge to the notification dated 21.5.2015 informing the general public about the Haryana Vidyut Parsaran Nigam Limited proposal to undertake the construction of 132 KV Tajpur -Begga single circuit line of 0.4 sq" inch ACSR conductor on double circuit towers to provide alternate connectivity and reliability to the system. Notices were issued to the licensees and other persons interested to enable

them to raise objections and also to make representations to the Nigam within two months from the date of the publication, after which no further objection or representation was to be entertained and the same was to be deemed to be sanctioned with or without modification by the Nigam. The necessary plans indicating the transmission line routes could be seen on any working day in the office of the Chief Engineer/ Transmission System, HVPNL, Panchkula and Chief Engineer/ Transmission System, HVPNL, Hisar. Objections/ representations were to be sent to Deputy Secretary/ Projects, HVPNL, Panchkula. No objections were raised by the petitioner to the public notice dated 21.5.2015. Thereafter, the tenders were floated in the year 2016. The tender was awarded on 14.3.2017. The period of completion of work was on or before 28.2.2019. The case of the petitioner is that the tower is being constructed on the land which belongs to him. The petitioner for the first time had sought certain information under the Right to Information Act on 27.11.2018. He had filed the representation only on 10.1.2019. The petitioner could not be oblivious to the laying down of 132 KV Tajpur -Begga single circuit line. He should have filed the objections within two months after the issuance of notification for construction of transmission line route.

Though the notification has been issued on 21.5.2015 but fact of the matter is that the petition has been filed on 6.2.2019. The petition is barred by delay and laches.

Learned counsel for respondent nos. 3 to 7 submitted that 90% work has already been completed. He further submitted that the compensation will be paid to the petitioner, in accordance with law, if not already paid, within two months from today. Thereafter, it shall be open to

the petitioner to take appropriate steps, if not satisfied with the amount of compensation awarded by the respondents.

In view of the above, the petitions stand disposed of.

(Rajiv Sharma)
Judge

19.12.2019
vs

(Harinder Singh Sidhu)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No