

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

CWP-8678-2020

Date of decision: 29.06.2020

**Balbir Singh****...Petitioner****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Vansh Malhotra, Advocate  
for the petitioner. (through video conferencing)

**ARVIND SINGH SANGWAN, J. (Oral)**

Prayer in this writ petition is for issuance of a writ in the nature of Certiorari for setting aside the order dated 27.08.2019, vide which the District Magistrate, Kaithal-respondent No. 5 has appointed Naib Tehsildar, Kalayat as Duty Magistrate to maintain law and order in view of erection of 33 KV Line passing through the land of the petitioner.

Admittedly, the petitioner has already filed a suit for permanent injunction, in which the application filed by the petitioner seeking temporary injunction was dismissed on 31.05.2018 and even the appeal against the said order was disposed of by the Additional District Judge on 20.06.2018.

The impugned order was passed way back in September, 2019 and the only grievance of the petitioner is that he has given a legal notice to District Magistrate, Kaithal-respondent No. 5 which has not been decided so far.

A perusal of the aforesaid legal notice shows that it is given only on 18.06.2020 and the sole grievance of the petitioner is that without

giving the compensation, the authorities should not carry out the work of erection of 33 KV Line.

Learned counsel for the petitioner submits that at this stage, he restricts arguments to the extent that District Magistrate, Kaithal-respondent No. 5 may be directed to decide the aforesaid legal notice.

Notice of motion.

Ms. Upasna Dhawan, DAG, Haryana, who is also appearing through video conferencing, accepts notice on behalf of the respondents-State.

Accordingly, in view of the limited prayer of the petitioner, the District Magistrate, Kaithal-respondent No. 5 is directed to decide the aforesaid legal notice of the petitioner within a reasonable time by passing a speaking order.

However, it is made clear that anything observed herein shall have no bearing on the issue of erection of 33 KV Line as the compensation, if any, is assessed, the same can be granted to the petitioner even after erection of the said electricity line.

**29.06.2020**

*Waseem Ansari*

**(ARVIND SINGH SANGWAN)  
JUDGE**

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*