

Civil Writ Petition No. 17750 of 2019

Date of Decision: February 03, 2020

Gurpreet Kaur

....Petitioner

Versus

State of Punjab and others

.....respondents

CORAM: HON'BLE MRS.JUSTICE LISA GILLPresent: Mr. Damanjit Singh Sandhu, Advocate
for the petitioner.

Lisa Gill, J.

This petition has been filed by the petitioner seeking quashing of notification dated 16.06.2017 (Annexure P1) wherein it is proposed to undertake transmission work for dispersal/distribution of power. There is a proposal for replacement of the High Power Transmission line from the existing power line which would entail shifting of the existing electric poles onto the land owned and possessed by the petitioner. There is a further prayer for restraining the respondents from erecting the poles on the petitioner's land during the pendency of this petition. Learned counsel submits that the said notification has been issued dehors the provisions of law and moreover there is availability of alternate land of the village Panchyat, over which the electric transmission poles can be raised. Representation dated 06.05.2019 (Annexure P3), it is submitted, was submitted before the Chief Engineer, Punjab State Power Corporation Limited, Patiala but no action was taken. It is, thus, prayed that this writ petition be allowed.

Heard, learned counsel for the petitioner.

Learned counsel for the petitioner is unable to deny that pursuant to issuance of notification dated 16.06.2017 (Annexure P1) the petitioner did not raise any objection, neither submitted any representation against the scheme/transmission works within two months thereof as is specifically mentioned in the said notification. The petitioner is stated to have submitted her representation (Annexure P3) on 06.05.2019. It is further fairly submitted by learned counsel for the petitioner that as on today, power transmission poles stand erected on the petitioner's land as per notification dated 16.06.2017 (Annexure P1). No orders are, thus, called for at this stage in this writ petition.

Present petition is, accordingly, dismissed. Needless to say the petitioner is at liberty to avail the remedy/remedies as may be available in accordance with law qua the prayer for compensation for use of land etc.

February 03, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No