

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

CWP No.14459 of 2020

Date of Decision: 12.10.2020

Surinder Singh and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Vikram Singh, Advocate for the petitioners.

Mr. N. S. Behgal, AAG, Haryana.

Ms. Neha Sonawane, Advocate and
Ms. Amrita Garg, Advocate for the respondents No.2 and 3.

SUDIP AHLUWALIA, J. (ORAL)

Reply to the petitioner under Section 151 CPC has been sent up on behalf of respondents No.2 and 3.

2. Perused the Technical Report (Annexure R-2/4) attached to the said reply from which it transpires that foundation of the disputed Tower has already been completed on 27.09.2020 on account of which it is not possible to shift the Tower in any other direction at this stage, since the same happens to be an Angle Tower.

3. Faced with this, Ld. Counsel for the petitioners submits that in the circumstances, they should be permitted to use the adjoining Panchayat land for the purpose of their own ingress and egress. Such submission is beyond the scope of the prayer made in the present writ petition in which relief was basically sought against the Power Grid Corporation of India Limited. The present writ petition is, thus, disposed off as having been rendered infructuous, at this stage.

4. For the alternative relief, which now petitioners seek qua the right to passage for approaching their land, they are at liberty to seek the appropriate remedy in accordance with law as permissible. They are also at liberty to seek the statutory compensation on account of damages suffered by them by installation of the disputed Tower, under Section 10 of the Telegraph Act and the other relevant legislation.

12.10.2020

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**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No