

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 5337 of 2021

1. Amrit Bai Patel W/o Late Shri Amar Singh Patel Aged About 69 Years R/o Village Nawapara, Post Kachhar, Police Station Bhupdeopur, Tahsil Kharsia, District Raigarh Chhattisgarh.
2. Rajani Patel W/o Shri Ambika Prasad Patel Aged About 41 Years R/o Village Nawapara, Post Kachhar, Police Station Bhupdeopur, Tahsil Kharsia, District Raigarh Chhattisgarh.
3. Ambika Prasad Patel S/o Late Shri Amar Singh Patel Aged About 47 Years R/o Village Nawapara, Post Kachhar, Police Station Bhupdeopur, Tahsil Kharsia, District Raigarh Chhattisgarh.

---Petitioner(s)

Versus

1. Union of India Through The Secretary, Ministry of Power, New Delhi (India).
2. Power Grid Corporation of India Limited, Through The Chairman Cum Managing Director, Power Grid Corporation of India Limited, Registered Office B-9, Qutub Institutional Area, Katwaria Sarai, New Delhi (India).
3. The Chairman-cum Managing Director, Power Grid Corporation of India Limited, Registered Office B-9, Qutub Institutional Area, Katwaria Sarai, New Delhi (India).
4. The Executive Director, West Region-1, Power Grid Corporation of India Limited, West Region-1, Sampriti Nagar, Nariring Road, Post Uppalwadi Nagpur.
5. The Chief Manager (O/m), Power Grid Corporation of India Limited, Village Post Kotra, District Raigarh Chhattisgarh.
6. The Collector Raigarh Chhattisgarh.

---Respondents

For Petitioner	:	Shri Rishi Rahul Soni, Advocate.
For Respondent No.1	:	Shri Tushar Dhar Diwan, Advocate.
For State	:	Shri Chandresh Shrivastava, Dy. AG.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21.12.2021

1. The grievance of the petitioner seems to be the action on the part of the respondents No.2 to 5 inasmuch as deciding to develop alternative route from AP-1 to AP-5 at village Lodajhar, District Raigarh, for the purpose of laying of 220 KV transmission line.
2. Considering the nature of relief sought for and the admitted factual matrix that laying of line has been done invoking the provisions of the Indian Telegraph Act, 1885 (in short, The Act, 1885), this court is of the opinion

that it would be more appropriate if the petitioners ventilate their grievances before the concerned District Collector under the Act, 1885 by moving an appropriate applications under Sections 16 and 17 of the Act, 1885, as the case may be, and if required under both so far as removal or alteration of telegraph line as also for claim of suitable compensation in respect of the loss sustained by the petitioners.

3. Reserving the right of the petitioners to approach before the District Collector by making a fresh application in addition to the representation that have already been filed by the petitioners in the past, the District Collector in turn is expected to take an appropriate decision after granting a fair and reasonable opportunity of hearing to all the interested parties at the earliest preferably within an outer limit of six months.
4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge