

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

114

CR-2610-2020  
Date of Order: 25.04.2022

Amar Nath

Versus

..Petitioner

Parbati Koldam Transmission Company Ltd. & ors.

..Respondents

CR-2307-2020

Parbati Koldam Transmision Co. Ltd

...Petitioner

Versus

Amar Nath and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Pritam Singh Saini, Advocate  
for the petitioner (in CR-2610-2020)

Mr. Inderjit Singh Sidhu, Advocate  
for the petitioner (in CR-2307-2020)

Mr. Tarun Vir Singh Lahel, Advocate  
for respondent no.3.

**ANIL KSHETARPAL, J(Oral)**

These two cross revision petitions have been filed questioning the correctness of the assessment made by the Additional District Judge, Rupnagar with respect to compensation for trees on a piece of land which was utilized for laying down a high tension electricity wire.

Previously a similar bunch of revision petitions was disposed of

on 19.02.2020 in **Parbati Koldam Transmission co. vs. Karnail Singh and**

**others (Civil Revision No.2159 of 2018 and other connected cases).**

The operative part of the order reads as under:-

*“At the outset, it must be noted that whenever the Court is proceeding to determine the compensation payable for the land used/acquired, it is always better to identify the various heads under which compensation is being claimed. Then it becomes easy and convenient for the court to assess the compensation under various heads. In the present case from the reading of the judgment passed by learned Additional District Judge, it is apparent that the learned Court did not identify the various heads under which the compensation is being claimed. The learned Additional District Judge has also overlooked the fact that on the one hand land owners claimed that the poplar trees were cut and removed by the Parbati Koldam Transmission Company Ltd., whereas it is the stand of Parbati Koldam Transmission Company Ltd. that the trees were removed by the land owners. Still further, there is no finding as to how much damage was caused to the wheat crop when the transmissions lines were laid. The court has further failed to determine the compensation, if any, payable under the following heads:-*

- 1. Damage/adverse effect on the agriculture produce with respect to land which falls under the transmission line or the tower;*
- 2. Damages, if any, payable to the land owners since they cannot plant trees on 46 meter wide strip of land adjacent to the transmission line. The land owners cannot also install tubewell on 16 meter wide strip of land under the transmission line.*
- 3. Whether the Parbati Koldam Transmission Company Ltd. had taken away the trees which had been cut in order to lay the transmission lines.*

*Keeping in view the aforesaid facts, it is considered appropriate to remit the cases back to the learned Additional District Judge/trial Court to re-decide the cases.*

*Parties through their counsels are directed to appear before the learned trial Court, on 06.03.2020.*

*Disposed of accordingly.”*

Keeping in view the aforesaid facts, these two revision petitions

are also disposed of in the same terms.

The parties through their counsels are directed to appear before the trial Court on 13.05.2022.

All the pending miscellaneous applications, if any, are also disposed of.

April 25, 2022

*nt*

(ANIL KSHETARPAL)  
JUDGE

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |