

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

250

CWP-12690-2022

Date of decision: 10.08.2023

DINESH KUMAR AND ORS.

.....Petitioners

VERSUS

STATE OF HARYANA THROUGH ADDITIONAL CHIEF
SECRETARY AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Vijay Pal, Advocate
for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana
for respondents No.1 and 6.

Mr. R.D. Bawa, Advocate and
Mr. Randhir Bawa, Advocate and
Mr. Dipanshu Kapur, Advocate
for the respondents No.2 to 5.

VINOD S. BHARDWAJ, J. (Oral)

The present writ petition has been filed for seeking
issuance of directions to the respondents to pay damages for the RoW
passing through the agriculture land of the petitioner.

Counsel appearing on behalf of the respondents No.2 to 5
submits that they have no objection to the payment of the compensation
to the land owner for the loss/damage sustained by them. He contends
that the determination of compensation under The Works of Licensees
Rules, 2006 is required to be undertaken by the District Magistrate
against which statutory remedy of appeal has also been prescribed.

Faced with above, counsel for the petitioner does not press

the instant writ petition at this stage and seeks liberty to approach the District Magistrate for determination of the compensation under the Electricity Act, 2003 read with Telegraph Act, 1882. The present petition is accordingly disposed of as not pressed at this stage with liberty to the petitioner to approach the District Magistrate concerned. In the event of any such petition/application being filed by the petitioners, the District Magistrate shall take an expeditious decision after affording sufficient opportunity of hearing to the respective parties including the opportunities to lead effective evidence. The period during which the present petition has remained pending shall also be taken into consideration while computing limitation/delay, if any.

The present writ petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 10, 2023

Vishal sharma

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