

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

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**CWP-30034-2022 (O&M)
Date of decision: 21.09.2023**

M/S T.S. REALTECH PVT LTD

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHER

.....Respondents

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

Present:- Mr. Amit Jhanji, Senior Advocate with
Mr. Shashank Shekhar Sharma, Advocate
Mr. Gurmohan Bedi, Advocate and
Mr. Yuvraj Singh Chauhan, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondent No.1.

Mr. Vivek Saini, Advocate
for respondents No.2 to 4.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India for seeking issuance of writ in the nature of Mandamus directing and restraining the respondents from erecting 220 KV High Tension (HT) transmission tower in the green belt right in front of shopping centre of the petitioner and a further prayer to direct the respondents to relocate 220 KV High Tension (HT) transmission tower from front of shopping centre in green belt to some other place.

Counsel for the petitioner submits that insofar as the substantive prayer in the main case was concerned about the erection of the Tower in the green belt and in front of the shopping centre of the

petitioner is concerned, the same having been erected and the present petition has been rendered infructuous qua the said relief. He, however, prays that the petitioner may be granted the liberty to make a representation to the respondent-authorities for laying the transmission line underground/relocation subject to the petitioner paying the cost and to bear all other statutory expenses as are likely to be determined by the respondent-authorities.

Counsel for the respondent-distribution licensee has no objection to the above said prayer. Accordingly, the present writ petition is disposed of without commenting on the merits of the case and with the consent of the parties while granting liberty to the petitioner to approach the Managing Director of the Haryana Vidyut Prasaran Nigam, Ltd. (Transmission Licensee) with a comprehensive representation for relocating/underground cabling of the Transmission Line subject to fulfillment of all necessary statutory conditions as per the Rules/Regulations. In the event of any such representation being furnished, the Managing Director shall take a considered decision thereupon as per law and after granting an opportunity of hearing to the respective parties.

The petition is disposed of.

All the pending miscellaneous application(s), if any, are also disposed of.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 21, 2023

Vishal sharma

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