

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

255

CWP-11459-2022

Date of decision: 20.02.2024

ARJUN CHATRATH

.....Petitioner

VERSUS

PUNJAB STATE POWER CORPORATION LTD AND OTHERS

.....Respondents

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

Present:- Mr. B.S. Jaswal, Advocate
for the petitioner.

Ms. Maninder Kaur, Advocate
for respondents No.1 and 2.

Mr. Shiv Kumar Sharma, Advocate
for respondent No.3.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present writ petition is for seeking directions to the respondents to take decision on the Legal Notice of the petitioner dated 04.02.2020 (Annexure P-2) followed by reminder dated 12.04.2022 (Annexure P-3).

It has been averred in the above said Legal Notice that an electric tower/pole has been installed in the land of the petitioner bearing Khasra No. 1107, Amritsar, Urban Circle No. 108 in the year 1995 and that the said wire is passing from Khasra No. 1111 and 1105. It is contended that the compensation to the petitioner has not been paid.

A short reply has been filed on behalf of respondents No.1 and 2 as per which it has been averred that the petitioner has never

asked for the compensation for the tower installed and that currently the said transmission line is being maintained and dealt by the Punjab State Transmission Corporation limited as per notification dated 16.04.2010. It is also averred that PSTCL has not been impleaded as a party.

Counsel for the petitioner, however, contends that since the transmission line was laid in the fields of the petitioner before 2010, hence, the PSTCL was not a necessary party.

Taking into consideration that the transmission tower and line has been installed on the land of the petitioner qua which a claim for compensation is being raised through the instant petition. The right is disputed by the respondents only on the ground that the same was not asked for by the petitioner.

In view of the aforesaid contents of the present petition, the present writ petition is disposed of with a direction to respondent- PSPCL to look into the Legal Notice sent by the petitioner, without prejudice to the respective rights, and/or to forward the same to the competent authority on whomsoever the rights and liabilities have been transferred by the PSPCL.

Let a decision on the said Legal Notice be taken within a period of 04 months of receipt of certified copy of this order after granting of an opportunity of hearing to the petitioner.

(VINOD S. BHARDWAJ)
JUDGE

FEBRUARY 20, 2024

Vishal sharma

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