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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5911/2024**

**UMESH GUPTA RESOLUTION PROFESSIONAL FOR
MOUNTAIN MEADOW HOLIDAYS PRIVATE LIMITED**

..... Petitioner

Through: Mr. Vivek Kohli, Sr. Adv. along with
Ms. Nimita Kaul, Ms. Shivambika
Sinha, Ms. Bhavya Bhatia and Mr.
Gurveer Lally, Advs.

versus

POWER GRID CORPORATION OF INDIA LIMITED AND ORS

..... Respondents

Through: Mr. Jayant Mehta, Sr. Adv. along with
Mr. Sanyat Lodha, Ms. Surbhi Arora
and Ms. Nikita Sethi, Advs. for R-1.
Mr. Manpreet Kaur Bhasin, Adv. for
R-2/UOI.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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30.04.2024

CM APPL.24419/2024 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 5911/2024 and CM APPL.24418/2024 (Stay)

1. The petitioner, being the Resolution Professional for Mountain Meadow Holidays Private Limited, which is undergoing Corporate Insolvency Resolution Process, has filed the present petition, being aggrieved by the fact that the respondent no.1 has commenced work for installation of



high-tension transmission line which passes through the property/ land owned by the said company. It is the contention of learned senior counsel for the petitioner that installation of the said high-tension transmission line will considerably denude the value of the said land/ property, which is the corporate debtor's sole asset and therefore, adversely affect the ongoing Corporate Insolvency Resolution Process.

2. It is further contended by learned senior counsel for the petitioner that the concerned high-tension transmission line can be suitably re-aligned so as to at least ensure that the same does not pass through the middle of the concerned property, and is closer to the boundary thereof. It is further contended that details of any techno-feasibility exercise that may have been conducted have not been disclosed to the petitioner, as a result of which, the petitioner has been deprived of submitting its objections, and/ or propose an alternative route.

3. Mr. Jayant Mehta, learned senior counsel for the respondent no.1 submits that the alignment of the high-tension transmission line was fixed pursuant to an elaborate techno-feasibility study conducted by the respondent no.1. He strenuously refutes the contentions of the petitioner, and submits that no legal right of the petitioner has been infringed.

4. After some hearing, it is deemed apposite that details/ copy of the techno-feasibility study conducted by the respondent no.1 for the purpose of fixing the alignment of the said high-tension transmission line, be provided to the petitioner, within a period of three days from today. It is directed accordingly. Upon receipt of the same, the petitioner would be at liberty to make a representation/ make suggestions to the respondent no.1 for re-alignment/shifting of the said transmission line, to seek that the same does



not pass through the middle of the concerned property, and is closer to the boundary thereof. For this purpose, the concerned technical officials of the respondent no.1 shall provide an opportunity of hearing to the petitioner or his authorized representative on 07.05.2024, whereupon a speaking order shall be passed by the respondent no.1, disposing of the petitioner's representation.

5. It is made clear that the above directions have been issued only so that an attempt can be made to allay the concerns/ redress the grievance of the petitioner, and shall not be construed as an expression of opinion of this court as regards justiciability of the alignment/ route of the concerned transmission line. Further, the aforesaid exercise shall not preclude the petitioner from availing further/ other appropriate remedies, as may be available to it under law.

6. With the aforesaid directions, the present petition stands disposed of.

7. *Dasti.*

SACHIN DATTA, J

APRIL 30, 2024/cl