



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.12908 OF 2025

Sudam Kisan Hase,
Age-37 years, Occu:Agri.,
R/o-Chikhali, Taluka-Sangamner,
District-Ahilyanagar
and others.

...PETITIONERS

VERSUS

- 1) The State of Maharashtra,
Through its Secretary,
Ministry of Energy,
New and Renewable Energy,
Maharashtra State, Mumbai,
- 2) The Superintendent Engineer,
MSEDCL, Ahilyanagar,
- 3) The Executive Engineer,
MSEDCL, O & M Division,
Sangamner, Taluka-Sangamner,
District-Ahilyanagar,
- 4) The Executive Engineer,
Public Works Department,
North Division, Zilla Parishad,
Ahilyanagar.

...RESPONDENTS

...
Mr. Avinash R. Borulkar Advocate for Petitioners.
Mr. S.K. Tambe, Additional G.P. for Respondent No.1 – State.
...

**CORAM: SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 4th NOVEMBER, 2025

ORDER [PER SMT. VIBHA KANKANWADI, J.] :

1. Present Petition has been filed for following reliefs:-

"B) By issuing writ of mandamus or any other appropriate writ, order or directions, kindly direct the respondent authorities to shift 33 KV HT Line elsewhere to avoid further complication which is endanger to the life of the petitioners."

2. The petitioners are the residents of village Chikhali, Taluka-Sangamner, District-Ahilyanagar and village Gunjalwadi, Taluka-Sangamner, District-Ahilyanagar. They are objecting to the work of laying down 33 KV High Tension Line by the MSEDCL (Maharashtra State Electricity Company Limited), which is stated to be without following due procedure.

3. Learned Additional Government Pleader waives notice for respondent No.1- State. There is no necessity to issue notice to other respondents.

4. Heard learned Advocate Mr. Borulkar appearing for the petitioners and learned Additional Government Pleader Mr. Tambe for State.

5. It is stated by the petitioners that in their villages, there are already existing high tension lines along with underground high pressure water lines, therefore, while erecting new high tension electricity line, the authorities ought to have considered the safety measures. Respondent No.2 had issued communication dated 28th June 2024, in respect of sanction of technical estimate for new High Tension Connections. Respondent No.4 issued permission for laying utility (electrical power cable) wherein terms and conditions were mentioned. As per application dated 8th July 2024, approval was granted for permission to lay an overhead electrical power line across Shahapur, Rajur, Akole, Sangamner, Loni, Shrirampur Road and Virgaon, Ganore, Rajapur, Samganmner, Jorve, Rahimpur, Ashwi Road and NH-60 to Sangamner Khurd, Sangamner, Ghulewadi to NH-60 Road, SH-71A, k.m.s 6/400 to 6/900. The Deputy General Manager vide communication dated 28th October 2024, directed the Project Director, NHA I PIU, Pune for laying 33 KV high tension over head electrical cable line. After getting knowledge of such laying down high tension line, the villagers of Dhandarfal had raised their voice for shifting the line elsewhere. Grampanchayat, Dhandarfal had also issued communication to M/s. Swami Electricals in respect of the complaints received

against the laying down of 33 KV overhead high tension line. After getting knowledge of laying down 33 KV overhead high tension line, the villagers of Chikhali have also raised their voice for shifting the line elsewhere. If the said line is not shifted, it will lead to chaotic situation. Already one line is in existence and there is no necessity to have second line. In spite of raising objections in writing, the respondents are not taking any action and therefore, the petitioners have approached this Court.

6. The first and foremost fact to be noted is that the electricity will have to be provided to each and every village, industrial area etc. The petitioners are not the experts nor they have come with the case that they had obtained any opinion from an expert, as to what would be the shortcomings in the technical way if the second line is installed or laid down. If we peruse the letter dated 28th June 2024, by the Superintending Engineer, MSEDCL, Ahmednagar to the Executive Engineer, MSEDCL, O & M Division, Sangamner, it states that the new high tension line is required to be taken till M/s. Shramik Milk and Food Processing Industry and it has been sanctioned. Here, when the electricity is required by an industrial unit, the petitioners should understand that it would generate employment. Now, it is contended that the persons whose lands

would be affected by this erection of high tension line, have not been paid compensation. Here, it is to be noted that it would be a personal matter of that person whose land would get affected. He can certainly approach to the appropriate authority for decision or compensation, as the case may be.

7. Learned Advocate for the petitioners has relied on the photographs those have been produced. It appears that there is electricity connection of high tension line. Now when it was decided by the MSEDCL to have the addition of the high tension line, certainly they would have thought it on technical basis also. Learned Advocate for the petitioners also states that the said line can be shifted on the other side of the road. Here, the petitioners have not made those persons as party, as while making this submission it can be gathered that lands of someone else would get affected. Further, we are of the opinion that if every person would start saying that the electricity poles or connection of high tension line should not be taken from his or her land, then there cannot be development of the area and consequently that of the State.

8. If the petitioners would have come with some homework

i.e. by taking help of some experts and then would have shown that how their lands could be saved or they will not be affected, then it would have been a different scenario. But with the pleadings those have been made and for the prayers, we say that this is not a fit case where we should exercise our powers under Article 226 of the Constitution of India.

9. The Writ Petition stands dismissed at the threshold.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/NOV25