



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(132) COCP NO.2438-2024
DATE OF DECISION: 26.05.2025

MayaPetitioner

VERSUS

TL Asatyaprakash, Chief Administrator and othersRespondents

CORAM HON'BLE MR. JUSTICE HARKESH MANUJA

Present None for the petitioner.
Mr. Gunjan Mehta, Addl. AG, Punjab.
Mr. H.S.Gill, Advocate, for respondents no.1 and 2.
Mr. Arnav Goel, Advocate, for
Mr. Vivek Saini, Advocate for respondent no.3.
Sh.Dharmender, Administrator(through VC).
Sh. Devender Kaushik, Executive Engineer, HSVP
in person.

HARKESH MANUJA, J (ORAL)

1. In the present case, the petitioner alleges non compliance of order dated 13.02.2020, passed by the Writ Court, the same is extracted here as under:-

“Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate, for the respondent-HSVP, is present in Court. At the outset, he submits that the matter regarding shifting the 132 K.V. high tension wire, which passes over the plot of the petitioner, has already been taken up with Haryana Vidyut Prasaran Nigam Limited (HVPNL). And respondent authorities have been conveyed that the transmission line can be shifted, if an alternate Right of Way is provided to HVPNL. It is submitted that, in response, a proposal of alternate Right of Way has since been submitted through the adjoining sector and the matter is under active consideration of the authorities. Therefore, he submits that in the given circumstances, it would rather be expedient if this petition is disposed of, at this stage, to enable the respondent-authorities to deal with the concerns and grievances of the petitioner. And pass necessary orders on her representation (ibid), in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall also be afforded a hearing.

Learned counsel for the petitioner is agreeable to the course suggested by learned counsel for the respondents-HSVP, and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to do the needful within a specified time.

To which, learned counsel for the respondent-HSVP submits that appropriate orders shall be passed within a period of two months from today.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by the learned counsel for the respondent-HSVP.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.”

2. As per aforementioned order, the claim of the petitioners for shifting of high tension wire was required to be considered / dealt with in two months of the passing of the order, however, respondents having failed to do the needful, compelled the petitioner to approach this Court by way of present contempt petition wherein notice of motion was issued on 24.07.2024. thereafter, different orders were passed on 08.11.2024, 14.11.2024 and 20.03.2025, which are reproduced here as under:-

ORDER DATED 08.11.2024

“Learned counsel for respondent No. 3-UHBVNL, on instructions from Executive Engineer concerned, submits that a comprehensive estimate shall be approved by 13.11.2024 and the same shall be handed over to learned counsel for respondent Nos. 1 & 2-HSVP in Court on the next date of hearing.

List on 14.11.2024.

To be shown in the Urgent List. ”

ORDER DATED 14.11.2024

“Learned counsel for respondent No.3 relies upon a communication dated 14.11.2024 to contend that Rs.54,91,502/- has to be deposited by HSVP for supervision charges.

In response, learned counsel for respondent Nos.1 and 2 prays for some time.

List on 17.12.2024.”

ORDER DATED 20.03.2025

“Learned counsel for respondent Nos.1 and 2 prays for time to file reply, though he submits that the work of shifting of high tension wires has been allotted in terms of tender floated by the respondent-HSVP. He further submits that the needful shall be done within a period of 03 months.

List on 26.05.2025.

To be shown in the urgent cause list, henceforth.

In the meanwhile, respondents may file their respective replies.”

3. A perusal of the paper book shows that though the grievance of the petitioner was required to be redressed within two months from the date of passing of the order, however, even after expiry of almost one year and three months, the work of shifting of high tension wires has not been concluded and it has been informed by respondent no.2 who has joined the proceedings through video conferencing that the same shall be concluded by 31.07.2025.

4. Considering the fact that there has been an inordinate and unexplained delay on the part of the respondents to comply with the Writ Court's order besides, the respondents taking the directions issued by this Court in a too casual manner and particularly the fact that respondents never ever sought any extension of time from the Writ Court towards compliance, at this stage, prima facie case is made out against them, however, learned counsel for the respondents on instructions from Sh. Dharmender, Administrator and Sh. Devender Kaushik,

Executive Engineer, HSVP submits that needful in the context of shifting of high-tension wires of 132 KVA shall be concluded on or before 29.06.2025.

5. In view of the aforesaid undertaking on behalf of the respondents, no cause survives in the present petition. The same stands disposed of.

Rule stands discharged.

6. However, in case the respondents fail to abide by the aforesaid undertaking, salary of the all respondents/present incumbent(s) in the office to the extent of 1/3rd shall remain attached till the compliance is made.

7. A copy of this order be also forwarded to the learned Chief Secretary, Government of Haryana for its strict compliance with respect to attachment of salaries of the officers concerned in case of non-compliance of undertaking.

26.05.2025
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No