



CWP-14933-2018

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

(218)

CWP-14933-2018

Date of Decision : 20.01.2025

Satish Kumar and another

...Petitioners

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. K.S. Dadwal, Advocate
for the petitioners.

Mr. Sudhir Nar, Sr. Penal Counsel
for respondent No.1-UOI.

Mr. Mahender Joshi, Advocate for
Mr. R.S. Madan, Advocate
for respondent No.2-NHAI.

Mr. Tajender Joshi, Advocate
for respondent No.3-BBMB.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant writ petition, a prayer is made for issuance of a writ in the nature of prohibition, restraining the respondents from installation of Electric Towers, on the land of the petitioners, to support 220KV electric transmission lines, which would pass over the land of the petitioners, being violative of the provisions of the Electricity Act, 2003, Indian Telegraph Act, 1885, as well as under The work of Licensees Rules, 2006.

2. The instant writ petition is pending since 2018. During the pendency of the writ petition, the work of laying down the electricity cable has already been completed. The petitioners have also preferred objections, in this



regard. The coordinate Bench of this Court, vide order dated 31.10.2023, had directed the Deputy Collector concerned, to decide the objections filed by the petitioners, after affording an opportunity of hearing, within a period of one month. The relevant extract of the order, reads as under :-

“On 17.07.2018, the following order was passed:-

“Learned counsel for the parties are not disputing that the laying down of electric towers has been completed. Let the Deputy Collector decide the objections after giving opportunity of hearing to the petitioners.”

Learned counsel for the petitioner at the outset contends that the aforesaid order has not been complied with till date.

Learned State counsel seeks one more opportunity to comply with the order dated 17.07.2018.

Last opportunity is granted to Deputy Collector to decide the objections filed by the petitioner after affording opportunity of hearing to them within one month failing which the Concerned Officer shall remain present in Court.

Adjourned to 14.12.2023.”

3. Learned State counsel, after having instructions from the quarter concerned, informed this Court today, that in fact, the Deputy Collector concerned, has already decided the objections, and a speaking order has been passed on dated 16.01.2020.

4. Therefore, in view of the above, the prayer made in the instant writ petition has become infructuous. Consequently, the instant writ petition **is dismissed as having been rendered infructuous.**

5. However, in case, the petitioners have any grievance with regard to the order passed by the Deputy Collector concerned, they are at liberty to take appropriate measures to challenge the order (supra), in accordance with



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law.

6. In case, the petitioners prefer any motion, within a period of one month from today, with an application for condonation of delay, the same shall be considered sympathetically.

(KULDEEP TIWARI)
JUDGE

January 20, 2025
Manpreet

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