



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

(241)

**CR No.2077 of 2020 (O&M)
Date of Decision: 25.08.2025**

Parbati Koldam Transmission Company Ltd.

...Petitioner

Versus

Hardev Singh and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Inderjit Singh Sidhu, Advocate
for the petitioner.

Mr. H.S. Jugait, Advocate
Mr. Harmanpreet Singh, Advocate &
Mr. Paramveer Singh, Advocate
for respondents No.1 to 3.

None for respondent No.4.

VIKRAM AGGARWAL, J (ORAL)

1. The instant revision petition preferred under Article 227 of the Constitution of India, assails the award dated 29.03.2019 (Annexure P-10) passed by the District Judge, Rewari vide which a sum of Rs. 2,00,000/- was awarded as compensation on account of installation of tower for transmission of electricity lines passing through land of respondents No.1 to 3.

2. The facts, as emanating from the revision petition, are that land of respondents No.1 and 2 was acquired for installations of towers and for maintenance of 400 KV/D/C Transmission Line for evacuation of power from 800 MW Koldam Hydro Electric Project to 400 KV Power Grid Sub Station in Ludhiana. The transmission line in question was for augmenting electricity power supply to the State of Punjab. 700 Poplar trees were

standing in the land which were aged about 3-4 years. The same are stated to have been cut and removed by the present petitioner and respondent No.4. The payment made against the said trees was said to be inadequate and not as per the market value. The land-owners received payment for the same under protest. However, no payment for acquisition of the land was made. Under the circumstances, a petition was preferred before the Court of Additional District Judge, Rupnagar.

3. The factum of acquisition of land was admitted, but it was denied that there were 700 Poplar trees on the land. It was averred that adequate compensation had been paid for acquisition of land.

4. From the pleadings of the parties, the following issues were framed:-

1. ***Whether the compensation given to the petitioner is not correctly assessed? OPP***
2. ***Whether the petitioner is entitled for enhancement of compensation?OPR***
3. ***Whether the instant petition has not been filed within the period of limitation? OPR***
4. ***Whether the petition is not maintainable in the present form? OPR***
5. ***Whether the petitioner has no cause of action for filing the present petition? OPR***
6. ***Whether the petitioner has concealed the material facts from the notice of the Court.?OPR***
7. ***Relief.***

5. Parties led their respective evidence.

6. Vide Award dated 29.03.2019, a sum of Rs.2,00,000/- was awarded as compensation on account of loss of value of the land. As regards other compensation, it was held that since possession had been taken as per

the provisions of the Land Acquisition Act, no relief was made out. Aggrieved by the said decision, the instant revision petition has been preferred by the Transmission Company.

7. At the outset, learned counsel representing respondents No1 to 3 submits that in similarly situated matters in which compensation had been granted without identifying various heads under which compensation was being claimed, the award was set aside and the matter was remitted to the Court of Additional District judge for a fresh decision. Learned counsel has produced copies of orders dated 19.02.2020, passed in CR No. 2159 of 2018 and other connected matters and order dated 25.04.2022 passed in CR No.2610 of 2020 and CR No. 2307 of 2020.

8. I have perused the aforesaid orders. CR No. 2159 of 2018 and other connected petitions were disposed of on 19.02.2020. The operative part of the said order reads as under:-

“At the outset, it must be noted that whenever the Court is proceeding to determine the compensation payable for the land used/acquired, it is always better to identify the various heads under which compensation is being claimed. Then it becomes easy and convenient for the court to assess the compensation under various heads. In the present case from the reading of the judgment passed by learned Additional District Judge, it is apparent that the learned Court did not identify the various heads under which the compensation is being claimed. The learned Additional District Judge has also overlooked the fact that on the one hand land owners claimed that the poplar trees were cut and removed by the Parbati Koldam Transmission Company Ltd., whereas it is the stand of Parbati Koldam Transmission Company Ltd. that the trees were removed by the land owners. Still further, there is no finding as to how much damage was caused to the wheat crop

when the transmissions lines were laid. The court has further failed to determine the compensation, if any, payable under the following heads:-

- 1. Damage/adverse effect on the agriculture produce with respect to land which falls under the transmission line or the tower;*
- 2. Damages, if any, payable to the land owners since they cannot plant trees on 46 meter wide strip of land adjacent to the transmission line. The land owners cannot also install tubewell on 16 meter wide strip of land under the transmission line.*
- 3. Whether the Parbati Koldam Transmission Company Ltd. had taken away the trees which had been cut in order to lay the transmission lines.*

Keeping in view the aforesaid facts, it is considered appropriate to remit the cases back to the learned Additional District Judge/trial Court to re-decide the cases.

Parties through their counsels are directed to appear before the learned trial Court, on 06.03.2020.

Disposed of accordingly.”

9. Learned counsel for the petitioner has not been able to dispute that the instant case is also covered by the said decisions.

10. That being so, the instant revision petition is disposed of in the same terms. Parties through their counsel are directed to appear before the learned trial Court on 08.09.2025.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

August 25, 2025

Rekha

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