

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 2072 of 2026****FOR APPROVAL AND SIGNATURE:****HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK**

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Approved for Reporting	Yes	No
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PATEL LAXMANBHAI RANCHHODBHAI & ANR.

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR MAHESH P PATEL(3381) for the Petitioner(s) No. 1,2

MR N P CHAUDHARY(3980) for the Petitioner(s) No. 1,2

MR ANGESH PANCHAL AGP for the Respondent(s) No. 1,4

MR SP HASURKAR(345) for the Respondent(s) No. 2,3

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**CORAM: HONOURABLE MR. JUSTICE HEMANT M.
PRACHCHHAK****Date : 30/04/2026****JUDGMENT**

1. RULE returnable forthwith. Mr. Angesh Panchal, learned AGP waives service of notice of rule on behalf of respondent no. 1 and 4 and Mr. SP Hasurkar, learned counsel waives service of notice of rule on behalf of respondent no. 2 and 3.

2. With the consent of both the parties, the matter is taken up for final hearing today.

3. Present petition is filed by the petitioner under Articles 19

and 226 of the Constitution of India read with the provisions of Indian Electricity Act and the Rules framed thereunder seeking following reliefs:

“(A) YOUR LORDSHIPS may be pleased to admit and allow this petition.

(B) YOUR LORDSHIPS may be pleased to issue a writ of mandamus and/or any other appropriate writ, order of direction quashing and setting aside the impugned order dated 13.01.2026 passed by the learned District Magistrate, Vav-Tharad and thereby direct the authority concerned to reconsider the request of the petitioners for the change of route;

(C) Pending admission, hearing and final disposal of this petition YOUR LORDSHIPS may be pleased to stay implementation, execution and operation of the impugned order dated 13.01.2026 passed by the learned District Magistrate, Vav-Tharad and thereby direct the parties to maintain status quo;

(D) YOUR LORDSHIPS may be pleased to grant ex party ad interim relief in terms of paragraph No.11 (C).

(E) YOUR LORDSHIPS may be pleased to pass such other and further orders as may be deemed just and proper in the interest of justice”

4. Brief facts giving rise to the present petition are that, the petitioner is the owner of land bearing Survey No.145 pk.1/pk.2 situated in the sim of Village: Kochala, Taluka : Tharad, District: Banaskantha. That, the petitioner applied for the conversion of the said land from agriculture to non-agriculture use and the learned Collector granted NA permission on the terms and conditions mentioned in the order dated 12.12.2023. That, being

essential requirement of electricity, the Government has taken decision to lay down transmission network across the State of Gujarat for providing power to the consumers through distribution utilities under the State Government and accordingly, the State Government approved certain areas for laying down the transmission network. That, as a part of it, the petitioner has been served with the notice issued by the authority and thereby informed about the said work to be carried out in his land and also informed about the compensation that may be granted for the loss suffered by him. That, the petitioners applied for shifting high tension line from the land of petitioners and paid Rs. 106697.00 for shifting line. That, on receipt of the said notice, the petitioner submitted his objections contending inter alia that because of installation of poll and underground transmission network, it would affect his own land and thereby requested to change the route of the said transmission network so that the petitioner may suffer less loss. That, the District Magistrate, Vav-Tharad, by impugned order dated 13.01.2026, granted permission to the respondent GETCO for laying down transmission network under the land owned by the petitioner.

5. Being aggrieved and dissatisfied by the impugned order dated 13.01.2026 passed by District Magistrate, Vav-Tharad, the petitioner has preferred the present petition.

6. Heard Mr. Mahesh Patel, learned counsel and Mr. NP Chaudhary, learned counsel for the petitioners and Mr. Angesh

Panchal, learned AGP for respondents no.1 and 4 and Mr. SP Hasurkar, learned counsel for respondents no. 2 and 3.

7. I have heard the learned counsel for the respective parties and perused the materials available on record. I have also considered the impugned order passed by District Magistrate, Vav-Tharad. It appears that for the development of electricity transmission network in Gujarat, the authorities proposed to lay a transmission network through the petitioner's land and issued a notice regarding the work and compensation. It appears that the petitioners objected to the proposed route of the network; however, the District Magistrate, Vav-Tharad, vide the impugned order, granted permission to the respondent GETCO for laying down transmission network under the land owned by the petitioner.

7.1 At this juncture it would be appropriate to refer to the decision of this Court in the case of **Vijaybhai Karshanbhai Panchasara & Ors Vs. Collector and District Magistrate, Morbi & Ors.** in **Special Civil Application No. 14772 of 2025** wherein this Court has decided a similar issue involving laying of transmission lines by the authorities wherein the petition came to be dismissed.

8. In view of the aforesaid facts of the case and the settled legal position laid down by this Court in Special Civil Application No. 14772 of 2025, this Court is of the opinion that no case is

made out to entertain the present petition and hence, the petition deserves to be dismissed.

9. Resultantly, the present petition is hereby dismissed. Rule is discharged. There shall be no order as to costs.

9.1 It is, however, open for the petitioners that in case, they are entitled for compensation, the appropriate course of action to file an application for compensation is before the concerned District Magistrate for this purpose as provided by the Government of Gujarat time and again. As and when such application is filed by the petitioners for compensation, the same shall be decided by the concerned District Magistrate in accordance with law, after affording proper opportunity to the petitioners. It is also open for the petitioners to avail remedy as per the guidelines issued by the State Government.

ANUSRI

(HEMANT M. PRACHCHHAK,J)