



Sr. No. 23
2026:JKLHC-JMU:881

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 197/2024
CM No. 461/2024
CM No. 5498/2025

**Inhabitants of Village Jhajjar Kotli,
Tehsil Dansal & District Jammu
Through Daya Krishan, Age 65 years,
S/o Sh. Suraj Ram,
R/o Vill. Jhajjar Kotli, Tehsil Dansal,
District Jammu**

.... Petitioner/Appellant(s)

Through:- Mr. Joginder Singh Thakur, Adv.

Vs.

- 1. Union Territory of J&K
through Principal Secy. to Govt.
Power Development Department,
Civil Secretariat, Jammu**
- 2. Jammu Power Distribution Corp. Ltd.
through its Managing Director,
Ambedkar Chowk,
Panama Chowk, Jammu**
- 3. Chief Engineer (Distribution)
Jammu Power Distribution Corp. Ltd.
Canal Road, Jammu**
- 4. Superintending Engineer (Elect.)
O&M Circle-III
Batote, District Ramban, J&K**
- 5. Executive Engineer,
Sub-Transmission Division,
(JPDCL), Udhampur,
MH Morh, Udhampur**
- 6. Sagun Gupta,
S/o Sham Lal Gupta,
(Prop. JCM Constructions)
R/o H. No. 85, Phase-II,
Housing Colony, Udhampur**

.....Respondent(s)

Through:- Mr. Raman Sharma, AAG with
Ms. Jagmeet Kour, Advocate.

CORAM: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
01.04.2026



1. The instant petition has been preferred by the petitioner on behalf of inhabitants of Village Jhajjar Kotli in a representative capacity, who had unanimously passed a resolution authorizing the petitioner to institute the present petition, seeking the following relief:

“Writ of Mandamus directing the respondents to complete the work of shifting of 33 KV DC Line from Grid Station Jhajjar Kotli to Panthal towards Katra and Jib towards Udhampur maintained by the official respondents, as per the proposed alignment, within strict timelines by exercising the powers accorded to the official respondents under Section 164 of the Electricity Act, 2003 read with Section 10 of the Telegraph Act.”

2. The grievance projected by the petitioner in the instant petition is that the respondents have deliberately delayed the shifting of 33 KV DC line from Grid Station Jhajjar Kotli to Panthal towards Katra and Jib towards Udhampur despite the fact that funds to the tune of Rs. 68.70 lakhs stand sanctioned for the said shifting work in two phases, i.e., Rs. 10 lakhs and thereafter Rs. 58.70 lakhs.

3. The petitioner has further projected certain instances in the petition, wherein loss to life and property of the villagers residing in the said village has allegedly been caused due to the said transmission line as a consequence of which an FIR was registered way back in 2002 and another FIR bearing No. 34/2019 also came to be registered at Police Station Jhajjar Kotli in this regard.

4. It has further been submitted that owing to apprehension of further mishappenings, inhabitants of Village Jhajjar Kotli submitted various representations since the year 2016 before different competent authorities



seeking shifting of the said line to some safer place and in order to substantiate the claim, the petitioner has placed on record various representations moved from time to time.

5. It is further submitted that on the basis of the representations so made, a projected new alignment was proposed by the respondents and an estimate of Rs. 12 lakhs was initially framed. It is the stand of the petitioner that the respondents themselves declared the said 33 KV line as unsafe and recommended immediate shifting and alternate alignment was also proposed.

6. It is further pleaded that on 25.09.2018, respondent No. 4 accorded sanction for Rs. 10 lakhs from Capex Budget 2018-19 for shifting of the said transmission line. However, nothing was done on ground, constraining the petitioners to submit further representations.

7. It is also pleaded that after further representations and delegations, another amount of Rs. 58.70 lakhs came to be sanctioned for shifting of the aforesaid 33 KV DC line and respondent No. 5 invited tenders for execution of the shifting work. It is submitted that on 30.12.2021, the tender was awarded to M/s JCM Constructions, respondent No. 6 herein, and the execution of the work was required to be completed within 45 days from the date of award of contract.

8. It is the specific case of the petitioner that even after passing of more than one year from the award of contract, the contractor failed to complete the work. Feeling aggrieved, the villagers preferred complaint before SSP Jammu, who directed SDPO Nagrota to conduct enquiry into the matter.



Pursuant thereto, SDPO Nagrota conducted enquiry and recorded statements of witnesses, wherein it surfaced that respondent No. 6 had sub-let the contract to another person and whatever work was carried out was done through a lineman and even after passing of two years and release of part payment, the work was not completed and various representations were thereafter submitted before higher authorities.

9. *Per contra*, objections have been filed on behalf of respondents No. 1 to 5, wherein it has been submitted that the 33 KV line was laid way back in the year 1980 and the department has been regularly maintaining the said line. It is further admitted by the respondents that considering safety of inhabitants of the village, proposal for shifting of 33 KV line was submitted and funds were sanctioned and the work has been completed up to 70-80% approximately. However, the stand of respondents is that the remaining work could not be completed due to objections raised by certain villagers.

10. Mr. Raman Sharma, learned AAG, appearing on behalf of respondents has drawn the attention of this Court to an application (CM No. 5498/2025) filed by the petitioner seeking permission to place on record fresh report of Tehsildar Dansal which would facilitate this Court to clinch the controversy.

11. Heard Mr. Joginder Singh Thakur, learned counsel for the applicant.

12. For the reasons stated in the application bearing CM No. 5498/2025, coupled with what has been argued at the Bar, the same is allowed. The



documents annexed with the application are taken on record subject to all just exceptions.

13. From the perusal of communication dated 24.04.2025 issued by the Tehsildar, Dansal, to the Assistant Commissioner (Revenue), Jammu, it transpires that the report of the field staff reveals that the existing 33/11 KV line is passing over 34 houses, whereas the newly proposed line passes through Khasra Nos. 638 and 271 situated at Village Jhajjar Kotli. Khasra No. 638 is under the ownership of *Shamlat Deh Khud Kasht*, measuring 129 Kanals and 02 Marlas, and the kind of soil is recorded as *Gairmumkin Dev Sthan*. Khasra No. 271 is under the ownership of one Kaka Ram and others, *Khud Kasht*, measuring 8 Kanals, and the kind of soil is recorded as *Warhyal Doam* and *Banjar Qadeem*. No house or any other construction has been found on the said Khasra numbers.

14. It has further been recorded that approximately 80% of the shifting work has already been completed and that the inhabitants of Village Jhajjar Kotli have expressed their desire that the 33/11 KV line should pass through the Nallah and since one landowner, namely, Kaka Ram has objected to the same, report of the field staff has been sought from the appropriate authority.

15. Heard Mr. Joginder Singh Thakur, learned counsel for the petitioner, at length and Mr. Raman Sharma, learned AAG, appearing on behalf of the respondents, and perused the record made available.

16. From an overall perusal of the record and the stand taken by the respondents, this Court is of the considered view that since approximately



80% of the work relating to shifting of the 33/11 KV line has already been completed, the respondents are under an obligation to ensure completion of the remaining work expeditiously, subject to there being no legal impediment.

17. The only impediment projected by the respondents pertains to the objection raised by Kaka Ram and others. The said objection is required to be examined and decided in accordance with law by the Assistant Commissioner (Revenue), Jammu, after affording adequate opportunity of being heard to all stakeholders, as the delay in deciding the objection raised by landowners is in nobody's interest.

18. Accordingly, this Court deems it appropriate to direct the Assistant Commissioner (Revenue), Jammu, to consider and decide the objections raised by Kaka Ram and others within a period of four weeks from today, after providing an opportunity of being heard to all stakeholders, including the petitioners and the persons who had raised objections and any other affected persons. Subject to the decision so taken by the Assistant Commissioner (Revenue), the respondents shall take necessary steps for implementation of the said decision and ensure completion of the remaining work of shifting within a period of two weeks thereafter.

19. Needless to observe that the project in question, for which approximately 80% of the work has already been completed and requisite funds stand sanctioned, deserves to be completed *in toto* while dealing with the objections expeditiously, particularly when the Government has already sanctioned the requisite funds for shifting of the 33/11 KV transmission line



to a safer alignment, keeping in view the safety of inhabitants of the village and to avoid any potential risk to life and property.

20. The petition along with connected application(s) is, accordingly, **disposed of** in the manner indicated above.

(Wasim Sadiq Nargal)
Judge

Jammu:

01.04.2026

Michal Sharma/PS

Whether the order is speaking : *Yes/No*
Whether approved for reporting : *Yes/No*

