

SUPREME COURT OF INDIA

RECORD OF PROCEEDINGS

IA 3/2008 in CIVIL APPEAL NO. 2981 OF 2006

POWER GRID CORPORATION OF INDIA LTD.

Appellant (s)

VERSUS

M/S TRIVENI EDU.&amp;SOC WELFARE SOC. &amp; ANR.

Respondent(s)

(With appln(s) for recalling the court's order dated 14.07.2009 and office report ))

Date: 27/03/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Appellant(s)

Mr. Naveen R. Nath,Adv.

Ms. Lalit Mohini Bhat,Adv.

Mr. A. Daserath,Adv.

For Respondent(s)

Mr. Anoop G. Chaudhari,Sr.Adv.

Mr. Manjit Singh,Adv.

Mr. Rupam P.,Adv.

Ms. Jane Chaudhari,Adv.

Mr. Prabhat Kumar Rai,Adv.

Mr. R.D. Makheeja,Adv.

Mr. Ramesh Lal Bhatia,Adv.

UPON hearing counsel the Court made the following

ORDER

This application (I.A. No.3/06), has been filed in Civil Appeal No.2981/06, which was disposed of by this Court on 14 th July, 2006, on the basis of a Settlement which had been arrived at between the original parties to the appeal, namely, Power Grid Corporation of India Ltd. and M/s Triveni Educational & Social Welfare Society. The applicant herein was not a party in the proceedings nor was he a party to the Agreement on the basis whereof the order was passed on 14 th July, 2006.

In this application, the applicant has made out a case that on the basis of the Order passed by this Court on 14 th July, 2006, the Power Grid Corporation is attempting to

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realign the transmission lines so as to pass over the applicant's land. According to the petitioner, taking advantage of the Settlement and the Order passed by this Court, the Corporation was bank upon taking the transmission lines over the applicant's land. The complainant has, therefore, prayed for recalling of the said order of 14th July, 2009.

Having heard learned counsel for the respective parties, and having looked into the Agreement which were arrived at between the original parties to the appeal, we find nothing in the Agreement which adversely affects the right of the applicant. However, since the Power Grid Corporation is attempting to draw a lines over the lands of the applicant, the applicant will be at liberty, notwithstanding the order of 14th July, 2006, to take such steps as he may be entitled to in law in respect thereof.

The application is disposed with the above observations.

(Ganga Thakur)

P.S. to Registrar

(Juginder Kaur)

Court Master