

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5079 of 2015

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Panmati Kuer W/O Late Shiv Kumar Tiwari R/O- Village-Devdihi, P.O. - Sadokhar, P.S.- Chenari, District- Rohtas at Sasaram.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Magistrate, Rohtas at Sasaram.
3. Anchal Adhikari, Chenari, Rohtas at Sasaram.
4. The C M D, Bharat Sanchar Nigam Limited, Bharat Sanchar Bhawan, Janpath, New Delhi, 110001.
5. The C M D, B.S.N.L., Sanchar Sadan, G.S. Mobile Office, Patna.
6. District Manager, Telephone, B S N L Ltd. Sasaram.
7. Divisional Engineer (A & P), Bharat Sanchar Nigam Limited, T.D.M., District- Rohtas at Sasaram.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Adv.
For the Respondent/s : Mr. AC to GP-30
Mrs. Renuka Sharma, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 09-09-2015 Heard Sri Ramchandra Singh, learned counsel for the petitioner, learned AC to GP-30 and Smt. Renuka Sharma, learned counsel, who has appeared on behalf of Respondents / officials of Bharat Sanchar Nigam Limited.

The petitioner, invoking extraordinary writ jurisdiction under Article 226 of the Constitution of India, has prayed for directing the Respondents/ officials of B.S.N.L. to set up a Mobile Tower over her land, which she intended to voluntarily give.

Learned counsel for the petitioner submits that B.S.N.L. was earlier intending to install tower in the premises of

the school, which was objected by local people and, thereafter an enquiry was got conducted by the Collector through the Circle Officer, in which action of the B.S.N.L. was deprecated.

In this case, a counter affidavit has been filed, Smt. Renuka Sharma, learned counsel for the B.S.N.L. submits that the village, where the land has been proposed to be given by the petitioner, is a Nuxal prone area and it would not be viable for the B.S.N.L to install tower in the area.

Moreover, at the time of hearing learned counsel for the petitioner has not shown as to what right, the petitioner had accrued for being enforced by this Court while invoking its writ jurisdiction. Keeping in view the fact that no right of the petitioner has been infringed, there is no point for entertaining the writ petition. The writ petition stands dismissed.

(Rakesh Kumar, J)

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