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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1106 of 2015

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Smt. Sudha Sinha, wife of Shri Ashok Kumar, resident of Village- Kashim Chak, P.O.- Mahanandpur, P.S.- Deep Nagar, District- Nalanda.

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Energy Department, New Delhi.
2. The Power Grid Corporation of India Limited through its Chief Managing Director, New Delhi.
3. The Project Director, Power Grid Corporation of India Limited, New Delhi.
4. The Executive Director, Regional Office, Power Grid Corporation of India Limited, Patna.
5. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
6. The Chief Manager, Power Grid Corporation of India Limited, Sub-Station, Biharsharif, Nalanda.
7. The Manager (T.L.) 400 K.V., Biharsharif, Sub-division, Nalanda.
8. The District Magistrate, Nalanda at Biharsharif.
9. The Sub-divisional Officer, Sub-Division- Biharsharif, District- Nalanda.
10. The Circle Officer, Biharsharif Circle Office, District- Nalanda.

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Manoj Kumar Jha
Mr. Dhirendra Kumar Singh
For the Union of India : Ms. Kanak Verma, CGC
For the Respondent-State : Mr. Ashok Kumar Choudhary, AAG-13
For Power Grid Corporation : Mr. Suraj Samdarshi

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 03-02-2015 Heard Mr. Manoj Kumar Jha, learned counsel appearing on behalf of the petitioner, learned counsel for the State, Mr. Suraj Samdarshi, learned counsel appearing for the Power Grid Corporation of India Limited and Ms. Kanak Verma, learned Central Government Counsel for the Union of India.

The petitioner has prayed for a writ in the nature of mandamus commanding the respondents to alter the route of 400 K.V. transmission line which the respondent-Corporation propose to install and which would pass over head the house of the petitioner situated over plot bearing Khata no.42, Khesra no.36 admeasuring $3^{1/}_{2}$ decimals in Mauza- Kasimchak in the district of Nalanda.

A counter affidavit has been filed on behalf of the Corporation and Mr. Samdarshi with reference to the report of the Advisor (Transmission Line) addressed to the Additional General Manager of the Corporation present at Annexure-C to the counter affidavit submits that the route in question is the only possible route through which the transmission line can be carried out. Learned counsel with reference to the statements made in paragraphs 12 and 13 of the counter affidavit further submits that the respondent-Corporation appreciating the difficulty of the petitioner and taking note of the grievance raised, has taken necessary steps for payment of a just compensation. It is further submitted by Mr. Samdarshi that until such time that the compensation amount is paid to the petitioner she would not be disturbed from her house but since each day delay in installation of the transmission lines would result in

enhancement of cost hence the exercise may not be interfered with.

Mr. Jha, learned counsel appearing on behalf of the petitioner is agreeable and takes no objection to the stand taken by the Corporation and the submission made by Mr. Samdarshi.

Regard being had to the circumstances taken note of hereinabove and the stand of the Corporation, this writ petition is disposed of requiring the Corporation to abide by its undertaking given before this Court and expedite the payment of compensation to the petitioner but until such time that the compensation is paid to the petitioner, let the petitioner be not disturbed from her dwelling house.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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