

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18252 of 2012

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Ratnesh Kumar Singh @ Munna Singh, son of Shree Ram Bahal Singh, Resident of
Village- Bajitpur, P.S.- Nayagaon, District- Saran.

.... Petitioner

Versus

1. The State of Bihar through the Chairman Bihar State Electricity Board at Patna.
2. The Collector cum District Magistrate, Saran, District- Saran.
3. The Additional District Magistrate, Saran, District- Saran.
4. The Sub- Division Officer at Sonpur, District- Saran.
5. The Superintending Engineer, Bihar State Electricity Department at Saran.
6. The Executive Engineer, Electricity Supply Division, Saran Division, at Saran.
7. The Assistant Electric Engineer, Electricity Supply Sub-Division, Sonpur, District- Saran.
8. The Junior Engineer, Electricity Supply Sub-Division, Sonpur, District- Saran.
9. The Superintendent of Police, at Saran.
10. The Sub- Divisional Police Officer, Sonpur, District- Saran.
11. The Officer-in-Charge, Nayagaon Police Station, Nayagaon, District- Saran.
12. The Circle Officer Sonpur, District- Saran.
13. The Block Development Officer, Sonpur, District- Saran.

.... Respondents

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Appearance :

For the Petitioner : Mr. Vitesh Kumar Singh, Advocate
For N.B.P.D. Company: Mr. Vinay Kirti Singh, Addl. Standing Counsel
Mr. Vijay Kumar Verma, Advocate
For the State : Mr. Sanjay Kumar, AC to GA 5

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 18-02-2015

The petitioner is a resident of village Bajitpur within
Nayagaon Police Station in the district of Saran. He filed this writ
petition by way of public interest litigation with a prayer to direct the
respondents to remove and relocate 11000 KV power line which is
passing through the village. According to him, the alignment of the
electric line to supply power to the neighbouring village Chaturpur
was at different place along with the national highway but on account



of pressure exerted by the interested persons, the electric line is being taken across village Bajitpur over the roof of many houses. The petitioner contends that in the event of any wire falling on the houses, heavy damage would be caused to life and property of the residents and in spite of several representations, respondents did not take any corrective step.

2. A detailed counter affidavit is filed by the respondents. It is stated that the line was existing since last several years and in recent past several persons of the village had put hindrance between the two poles. It is stated that when the efforts were made to restore the power supply, the villagers broke two poles and with great difficulty, line was restored.

3. Heard Mr. Vitesh Kumar Singh, learned counsel for the petitioner and Mr. Vinay Kirti Singh, learned counsel for the respondent-North Bihar power Distribution Company Limited.

4. It is almost on an apprehension that power line wires of high-power voltage, if broken, would result into danger to life and property, that the petitioner approached this Court. Though an electric supplier is entitled to lay the lines according to their convenience, every effort is required to be made to ensure that the lines do not pass, over the existing houses. It is only when there is no alternative that a line can be laid in that manner.

5. From the record it is not clear as to whether line was laid at a time when there were no houses or whether it was laid after the houses came into existence.

6. Be that as it may, much before the writ petition was filed; the line was existing, though there were some resistances/disturbances in this behalf. Ultimately, the line is restored. We are of the view that apprehension of the petitioner, as regards occurrence of electrocution, can be taken care of by directing the respondents to arrange for putting metallic wire guard beneath the high power wires to the extent the electric lines pass over the residential houses, if any. The petitioner assures that the villagers shall extend their cooperation for this.

7. We, therefore, dispose of this writ application directing the respondents to arrange for metallic wire guard at such places where 11000 KV electric line passes over the houses in the village, within a period of two months. There shall be no order as to costs.

8. The interlocutory application, if any, shall stand disposed of.

(L. Narasimha Reddy, CJ)

B.T/-

(Vikash Jain, J)

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