

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17629 of 2015

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Shanti Devi, Wife of Ramakant Pathak, resident of village - Umapur, P.O. Umapur, P.S. Bhagwanpur, Anchal Bhagwanpur, District - Kaimur (Bhabhua), Bihar

.... Petitioners

Versus

1. The State of Bihar, through Chief Secretary, Government of Bihar, Patna
2. The Collector, Kaimur (Bhabhua)
3. The Additional Collector, Kaimur (Bhabhua)
4. The Sub - Divisional officer, Kaimur, Bhabhua
5. The Deputy Collector Land Reforms, Kaimur, Bhabhua
6. The Circle officer, Bhagwanpur, Kaimur, Bhabhua
7. The Bihar State Power Transmission Company Limited through its Managing Director, Vidyut Bhawan, Bailey Road, Patna
8. The Managing Director, Bihar State Power Transmission Company Limited, Vidyut Bhawan, Bailey Road, Patna
9. The Engineer - in - Chief, Bihar State Power Transmission Company Limited, Vidyut Bhawan, Bailey Road, Patna
10. The Executive Engineer, Bihar State Power Transmission Company Limited, Kaimur, Bhabhua

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Yugal Kishore, Sr. Advocate
	:	Nutan Sahay, Advocate
	:	Mr. Virendra Prasad, Advocate
	:	Mr. Subhash Kr. Tiwary, Advocate
	:	Mr. Lalitesh Mani, Advocate
For Board	:	Mr. Anand Ojha, Advocate
For the State	:	Mr. Sudhir Omar, AC to AAG-2

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 13-05-2016

Heard parties.

Petitioner is apprehending that Bihar State Power Transmission Company Ltd., while making certain construction regarding transmission line, is about to utilize her land also for which she had already written a letter to the *Anchal Adhikari*

which would be apparent from Annexure-4 issued by the *Anchal Adhikari* and on which three members team of the *Amin* was constituted but it is contended that no measurement has been done till date and her land has not been demarcated.

A counter affidavit has been filed on behalf of respondent company categorically stating that no part of petitioner's land has been touched in making such construction. Thus petitioner is only having an apprehension which is evident from para 11 of the writ petition itself.

Learned counsel for the State has also submitted that infact he has received instruction that three member team of the *Amin* has already measured the land and demarcated it and no part of the land of the petitioner has been found to have been encroached. However, the issue is not this. Actually, the issue is petitioner has deposited Rs. 1,000/- for measurement and demarcation of her land but why it has not been done, has not been answered.

Accordingly, this writ petition is being disposed of with a direction to *Anchal Adhikari* to appoint *Amin* and make measurement in the presence of the petitioner and demarcate her

lands which has been stated in the writ petition.

It is expected that the entire exercise would be completed within a period of four weeks from the date of receipt/production of a copy of this order.

(Dr. Ravi Ranjan, J.)

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