

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23523 of 2013

Ram Bahadur Singh Son Of Late Ram Surat Singh Resident Of Village - Jigni
Post Manihari, Police Station - Bhabhua, District - Kaimur (Bhabhua)

.... Petitioner/s

Versus

1. The State Of Bihar Through The District Magistrate, Kaimur At Bhabhua
2. Chief Manager, Power Grid Corporation Of India Limited H - 4, Brij Enclave, Sundarpur (Near Life Line Hospital), Varanasi 221005, Corporate Office At Nr - 1, B - 9, Qutub Institutional Area, Katwaria Sarai, New Delhi - 110016
3. Assistant Engineer, Power Grid Corporation Of India Limited, H - 4, Brij Enclave, Sundarpur (Near Life Line Hospital), Varanasi 221005
4. Bihar State Power Holding Company Ltd. Chief Managing Director, Vidyut Bhawan, Patna
5. South Bihar Power Distribution Company Ltd. Through Managing Director Vidyut Bhawan, Building, Patna
6. District Magistrate, Kaimur At Bhabhua
7. Kamla Singh Resident Of Village Gigni, P.O. Manihari, Police Station - Bhabhua, District - Kaimur At Bhabhua
8. Lal Bahadur Singh Resident Of Village Gigni, P.O. Manihari, Police Station - Bhabhua, District - Kaimur At Bhabhua
9. Surendra Singh Resident Of Village Gigni, P.O. Manihari, Police Station - Bhabhua, District - Kaimur At Bhabhua

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. MD. WALIUR RAHMAN

For the Respondent/s : Mr. A.UJJWAL

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 14-07-2016

Heard Mr. Rahman for the petitioner, the counsel for the Power Grid Corporation (for short ‘the Corporation’), the State as well as the counsel for the South Bihar Power Distribution Company Limited (for short ‘the Company’).

The petitioner’s land has been utilized by the respondent Corporation for stretching the overhead electric transmission wire. The land of the petitioner has also been used for fixing the electric tower. The petitioner objects thereto.

Indisputably, the Corporation is a licensee within the meaning of

section 164 of the Electricity Act. The petitioner, in that event, may be entitled to the compensation. It has been pointed out that under the Works of Licensees Rules, 2006, the District Magistrate is the competent authority to fix adequate compensation amount on a representation filed by the claimant.

The writ application, in that view of the matter, stands disposed of permitting the petitioner to make a representation in this regard before the respondent District Magistrate who shall examine/consider his grievance and pass appropriate order in accordance with law as quickly as possible preferably within 02 months of such filing.

(Kishore Kumar Mandal, J)

HR/-

U			
---	--	--	--