

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1036 of 2016

=====

1. Farida Parween, Wife of Mahmood Alam, Resident of Ward no. 18,
Jamui town, P.S and District Jamui.

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Urban Development Department, Government of Bihar, Patna.
3. The District Magistrate, Jamui.
4. The Principal Secretary, Energy Department, Government of Bihar, Patna.
5. The Superintendent Engineer, Electricity Supply, Munger Circle, Munger, District Munger, Bihar.
6. The Executive Engineer (Electricity), Electricity Supply Division, Jamui, District Jamui, Bihar.
7. The Assistant Engineer, Electricity Supply, Sub-Division, Jamui, District Jamui.
8. The Project Officer, Electricity Supply, Electrical Division, Jamui.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Abdul Wadood
For the Respondent/s : Mr. Binay Kumar, AC to GA 3
For the Board : Mr. Nikesh Kumar

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 03-03-2016 Heard Mr. Abdul Wadood, learned Counsel for the petitioner, and Mr. Binay Kumar, learned AC to GA 3, appearing for the State respondents. Heard also Mr. Nikesh Kumar, learned Counsel for the Electricity Board.

As regards the prayers, made in this writ petition, in the form of Public Interest Litigation, that a direction be issued to the respondents to install electric transformer for the residents of

Ward No. 18 of Nagar Parishad, Jamui, District Jamui, the respondent Nos. 5 to 8 have filed their counter affidavit, wherein they have averred, at paragraph 9, as follows:

“Since there is public objection in pole erection for installation of 100 KVA distribution transformer and other work near the clinic of Dr. Naushad now it has been decided to enhance the capacity of 100 KVA transformer to 200 KVA installed near Ramu Garage approximately 70 metres from clinic of Dr. Naushad. After enhancement of capacity from 100 KVA to 200 KVA of distribution near Ramu Garage, excess load of over loaded 200 KVA transformer near post mortem house eastern Azad Nahar, Ward No. 18 will be shifted to this transformer. The load of Mircha Masjid Gali, Panchmandir Road, behind Sadar Hospital (approx 18 consumers including two LTIS consumers) will be shifted from 200 KV overload transformer to new augmented 200 KVA transformer to get rid of electricity problem as stated above.”

Having regard to the averments made in paragraph 9 of the said counter affidavit, we are of the view that the decision of the respondents concerned, as regards the difficulty faced by the residents of Ward No. 18 of the said Nagar Parishad, is justified

and, therefore, we do not think it necessary to give further direction to the respondents concerned except making it clear that the project of installation of transformer, in question, already undertaken, shall be completed expeditiously, preferably, within a period of three months from today. If the installation of the transformer, in question, is not completed within the period aforementioned, the petitioner shall remain at liberty to take recourse to appropriate provisions of law as may be permissible.

With the above observations and directions, this writ petition, brought in the form of Public Interest Litigation, is disposed of.

(I.A. Ansari, ACJ)

(Anjana Mishra, J)

A.I./-

U			
---	--	--	--