

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2747 of 2016

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Madan Mohan Mishra, son of Sheo Kumar Mishra @ Dukhi Pandit @ Dukhi Mishra, resident of Village- Umapur, Police Station- Bhagwanpur, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Kaimur (Bhabhua).
3. The Additional Collector, Kaimur (Bhabua).
4. The Sub Divisional Officer, Kaimur (Bhabua).
5. The Circle Officer, Bhagwanpur, District- Kaimur (Bhabua).
6. The Bihar Electricity Board, Bailey Road, Patna through its Secretary.
7. The Bihar Power Transmission Company Limited, Bailey Road, Patna through its Managing Director.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav, Adv.
For the Respondent/s : Mr. ARVIND KUMAR NO. 2- SC17

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-01-2018 Heard learned Counsels for the petitioner and the respondent-State.

The petitioner has prayed for a direction to the respondent authorities for not interfering with the possession of the petitioner over his raiyati land, which is in question and to pay compensation for the damages caused by the respondents by digging the land for construction of electricity power station.

From the pleadings in the Writ application as well as the counter affidavit, it appears that there is dispute with regard to title over the land in question.

However, learned Counsel for the petitioner submits that



the order has been passed by the concerned authority in his favour against which appeal of State of Bihar is pending.

It is submitted by learned Counsel appearing on behalf of the Bihar State Power Holding Company that the land in question has been transferred by the District Magistrate and in pursuance to the transfer by the State of Bihar, the Power Holding Company is constructing the power sub-station and so far as compensation is concerned, the remedy lies before the District Judge.

In view of disputed question of fact, this Court is not inclined to interfere.

Accordingly, the Writ application is disposed of.

(Dinesh Kumar Singh, J)

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