

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17267 of 2014

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1. Ram Prit Mahton S/o Paltan Mahton
 2. Akhilesh Kumar S/o Ramprit Mahton
 3. Ashok Kumar S/o Ramprit Mahton
 4. Babita Devi W/o Ashok Kumar All Resident of Village Muradpur, Bangra, P.S. N.H. 28, Bangra, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India.
3. The Chief Manager (TLRE), Muzaffarpur, Power Grid Corporation of India Ltd.
4. G.M. (Project), Power Grid Corporation of India, Patna.
5. D.G.M. (T/L), Power Grid Corporation of India, Muzaffarpur.
6. The District Magistrate, Samastipur.
7. The Sub Divisional Magistrate, Samastipur, District Samastipur.
8. The Circle Officer, Tajpur, District Samastipur.
9. The Superintendent of Police, Samastipur.
10. The Officer-in-Charge, N.H. 28 Bangra, District Samastipur.
11. The District Land Acquisition Officer, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date: 02-11-2018

As none appeared on behalf of the petitioners, the matter was passed over for a few cases. However on repeat call, the petitioners were again not represented.

2. The present writ petition has been filed for the following reliefs :-

“ i) A writ in the nature of mandamus or any other appropriate writ or order be issued to the respondent authorities to pay compensation because respondent authorities cut the trees/plants planted



over the land of the petitioners belonging to the petitioner's land which appertaining to Survey Plot Nos. 588, 605, 750, 591, 601 total area about 8 katha in Mauza : Muradpur Bangra, P.S. N.H.28 Bangra, Anchal: tajpur, District : Samastipur.

ii) Further directing the respondent authorities not to draw any transmission line from above the house of the petitioners appertaining to khata no. 140, Khesra No. 602, Mauza: Muradpur, P.S.: N.H.28 Bangra, Anchal: Tajpur, District : Samastipur.

iii) To grant any other relief or reliefs for which the petitioners are entitled too in the facts and circumstances of the case."

3. Learned counsel for the respondents states that the issues in the present writ petition now stand resolved in view of the judgment of the Hon'ble Supreme Court in Civil Appeal No. 10951 of 2016 (The Power Grid Corporation of India Limited vs. Century Textiles & Industries Limited and others) and analogous cases, inter alia, observing in paragraph-21 of the said judgment that the Telegraph Authority would be obliged to pay full compensation to all persons interested for any damage sustained by them. It has further been observed in paragraph-26 of the judgment that the appropriate course of action is to file a Suit before the concerned District Judge for the purpose.

4. In the above view of the matter, the writ petition stands disposed of in the light of the aforesaid judgment of the Hon'ble Supreme Court in Civil Appeal No. 10951 of 2016 (The Power Grid Corporation of



India Limited vs. Century Textiles & Industries Limited and others) and analogous cases.

(Vikash Jain, J)

N.H./-

AFR/NAFR	NAFR
CAV DATE	N/A
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