

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16900 of 2015

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Ram Udgar Chaurasiya @ Ram Udgar Mahton S/o Late Raghunath Chaurasiya
@ Raghunath Mahton resident of village - Begumpur, Post - Bara, Via - Rosara,
Block + Circle + Police Station - Khodabandpur, Sub-Division - Majhaoul,
District - Begusarai, PIN - 848210.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Energy Department, 8 Daroga Rai Path, Patna - 800001, Government of Bihar.
2. Chairman-cum-MD, Bihar State Power Transmission Company, Vidyut Bhawan, Bailey Road, Patna, Bihar 800001.
3. The Executive Engineer-Electricity, Transmission Area (Sancharan Pramandal), 132/33-KB, Grid Campus, Mohanpur, Samastipur, Bihar.
4. North Bihar Power Distribution Company Limited Government of Bihar, Vidyut Bhawan, Bailey Road, Patna, Bihar 800001.
5. The District Magistrate, Zila Samaharnalay, Begusarai, Bihar.
6. The Sub Division Officer - Majhaoul, District - Begusarai, Bihar.
7. The Circle Officer- Khodabandpur, Block + Circle + Police Station - Khodabandpur, Sub-Division - Majhaoul, District - Begusarai, Bihar.
8. M/s - K Ramchandra Rao, Transmission & Project Private Limited, Praveen Chambers, 305, B-Block, Kushal Tower, Hyderabad - 500004.
9. M/s - Chetana, Engineering Consultancy, 109-A, Doddabasveshwara Nilaya, Basaweshwara Nagar, 1st Stage, Gandhinagar, Bellary - 3.

.... Respondents

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Appearance :

For the Petitioner: Mr. Ravindra Kumar @ Ravindra Kr Rai, Advocate

For the State : AC to GA 10

For Power Company: Mr. Vinay Kirti Singh, Sr. Advocate

Mr. Akhileshwar Singh,

Mr. Vijay Kr. Verma, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 02-11-2018

Heard learned counsel for the petitioner, learned counsel
for the State as well as learned senior counsel for the respondent-
Power Corporation.

2. The present writ petition has been filed for restraining
the respondents from digging/raising for Electrical Transmission Line



on the land of the petitioner or taking earth from the land by digging it, raising the pillars and destroying the nature of the land.

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)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	06.11.2018
Transmission Date	N.A.

