

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.361 of 2017

In
Civil Writ Jurisdiction Case No. 18556 of 2013

- =====
1. Sudhir Singh, Son of Late Ram Bahadur Singh.
 2. Ajay Kumar Singh, Son of Sri Kamleshwari Singh, Both Resident of Village- Malhipur, P.O.- Barauni Thermal Power Station, P.S. Barauni (O.P.- Chakia), District- Begusarai.

.... Appellant/s

Versus

1. The State of Bihar through Collector, Begusarai.
2. The Collector, Begusarai.
3. The Land Acquisition Officer, Begusarai.
4. The District Agriculture Officer, Begusarai.
5. The Chairman-cum-M.D. Bihar State Power Holding Company Ltd. formally known as Bihar State Electricity Board, Vidhut Bhawan, Bailey Road, Patna.
6. The Managing Director, Bihar State Power Generation Company Limited, Vidhut Bhawan, Bailey Road, Patna.
7. The General Manager-cum-Chief Engineer, Barauni Thermal Power Station, Begusarai.
8. The Superintending Engineer, Barauni Thermal Power Station, Begusarai.
9. The Executive Engineer, Barauni Thermal Power Station, Begusarai.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Chandra Mauli, Adv.
For the Respondent/s : Mr. Vinay Kriti Singh, Sr. Adv.
Mr. Vijay Kumar Verma, Adv.
Mr. Akhileshwar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)



12 25-04-2018

Not every matter can be adjudicated and decided under Articles 226 and 227 of the Constitution of India especially where it relates to claim of compensation having been caused due to water or pollution caused by the Barauni Thermal Power Corporation.

In the given circumstances, the learned Single Judge rightly refused to interfere in the issue. However, if the appellants want to pursue the matter, they are free to file the suit before an appropriate court of competent jurisdiction in accordance with law. No interference is warranted with the impugned order.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Devendra/Arjun

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