

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22454 of 2014

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Ram Pavitra Singh Son of Late Rameshwar Singh Resident of Village -
Madhesara, P.S.- Sonbarsa, District- Sitamarhi.

.... Petitioner/s

Versus

1. The Bihar State Power holding Company Limited through its Chairman Cum Managing Director Vidhut Bhawan Bailey Road, Patna.
2. The Managing Director North Bihar Power distribution Company Limited Vidhut Bhawan, Bailey Road, Patna.
3. The Executive Engineer North Bihar Power holding Company Limited Sitamarhi division, District- Sitamarhi.
4. The Assistant Engineer North Bihar Power holding Company Sitamarhi division District- Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv

For the Respondent/s : Mr. Vinay Kirti Singh, Sr. Adv
Mr. Vijay Kumar Verma, Adv
Mr. Akhileshwar Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-10-2018

The present writ petition has been filed for a direction to the respondents to remove the electric poles from the residential land of the petitioner and shift the same at any other places so that the petitioner can take up his construction work of his house for fulfilling his family requirement.

2. Learned counsel for the petitioner submits that the petitioner has purchased a small plot of land bearing no. 262, Khesra No. 1268, area 0.05 decimal in the year 1966 and he has to construct



the house on the said land for his personal use. The respondents however, has installed electric poles for fixing transformer on the land of the petitioner which is causing obstruction and hindrance in the construction of the house, apart from causing safety concern. The petitioner has filed a representation before the Executive Engineer, North Bihar Power Holding Company Ltd., Sitamarhi Division, District Sitamarhi (Respondent No. 3) on 05.05.2014 (Annexure-1) for redressal of his grievances. Learned counsel for the petitioner submits that it will suffice if the said representation is directed to be disposed of, in which event, the writ petition need not be pressed on merits.

3. Learned counsel for the respondent-Power Company appears and has been heard. He relies on the decision 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 Ors.) and analogous cases.

4. Having regard to the nature of grievance of the petitioner, the writ petition is disposed of with a direction to the Executive Engineer, North Bihar Power Holding Company Ltd., Sitamarhi Division, District Sitamarhi (Respondent No. 3) to consider and dispose of the petitioner's representation dated 05.05.2014 (Annexure-1), if still pending, after grant of an opportunity of hearing to the petitioner and in accordance with law on its own merits expeditiously and in any



event preferably within a period of eight weeks from the date of receipt/production of a copy of this judgment.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

