

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17506 of 2014

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1. Bhola Mahton, son of Janki Mahton
2. Parsuram Mahton, son of Motilal Mahton
3. Rama Mahto, son of Late Anandi Mahton
4. Nirmala Devi, wife of Parsuram Mahto,
5. Tuleshwar Mahton, son of Late Chulhai Mahton,
6. Premchand Mahton, son of Late Ram Tahal Mahto,
7. Sitaram Mahto, son of Late Paltan Mahto,
8. Surendra Prasad Singh, son of Late Paltan Mahton, All residents 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 Grind Corporation of India Ltd.
4. G.M. (Project), Power Grind Corporation of India, Patna
5. D.G.M. (T/L), Power Grind 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 a direction to the respondents to pay compensation because respondent authorities cut the trees/plants planted over the land of the petitioners



belonging to the petitioners' land; and for a direction to the respondents not to draw any transmission line from above the lands of the petitioners.

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
Uploading Date	03.11.2018
Transmission Date	N/A

