

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13492 of 2015

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1. Radha Devi Secretary of the Middle School at Birnoudh, Police Station- Goradih, District- Bhagalpur.
2. Arun Kumar Singh Son of Shri Jagdish Mandal
3. Niranjan Kumar Singh Son of Late Chamak Lal Singh
4. Hriday Narayan Singh Son of Shri Kailash Bihari Singh
5. Janardan Kumar Son of Late Sukdeo Singh
6. Pankaj Kumar Son of Shri Basudeo Prasad Singh No-2 to 6 residents of Village- Birnaudh, Police Station- Goradih, District- Bhagalpur.

.... Petitioners

Versus

1. The Union of India through the Chairman Power Grid Corporation of India Ltd. Gurgaon, Haryana.
2. The Executive Director, Power Grid Corporation of India Ltd. Alankar Place, Boring Road, Patna.
3. The Chief Manager, Power Grid Corporation of India Ltd.
4. The Assistant General Manager (T.L) Power Grid Corporation of India Ltd., Bhagalpur (Bihar)
5. The Executive Engineer N.H.P.C. Bhagalpur (Bihar)
6. The District Magistrate, Bhagalpur (Bihar)
7. The Executive Engineer, Bihar State Electricity Board, Bhagalpur (Bihar).

.... Respondents

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Appearance :

For the Petitioners : Mr. Arun Prasad Ambastha, Advocate
For Power Company : Mr. Vinay Kirti Singh, Sr. Advocate
Mr. Vijay Kr. Verma,
Mr. Akhileshwar Singh, Advocates
For the Corporation : Mr. Harendra Kr. Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 02-11-2018

Heard learned counsel for the petitioners, learned senior counsel for the respondent-Power Corporation as well as learned counsel for the respondent-Power Grid Corporation.

2. The present writ petition has been filed restraining the respondents from constructing High Tension Electricity Towers over



the fertile agricultural land without notice and their consent.

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

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