

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10473 of 2015

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Balram Kapri son of Late Sadeo Kapri, resident of Village Durgapur, Police Station Bounsi, District- Banka.

.... Petitioner

Versus

1. The State of Bihar, through the Secretary, Energy Department Government of Bihar, Patna.
2. The South Bihar Power Distribution Company Limited, Bidhut Bhawan, Bihar, Patna through its Managing Director.
3. The Managing Director, South Bihar Power Distribution Company Limited Bidhut Bhawan, Bihar, Patna.
4. The Chief Engineer South Bihar Power Distribution Company Ltd., Bidhyut Bhawan, Bihar, Patna.
5. The Executive Engineer (Electric), South Bihar Power Distribution Company Ltd., Electric Division, Banka, District- Banka.
6. The Executive Engineer (Project), South Bihar Power Distribution Company Ltd., Electric Division Banka, District- Banka.
7. The Sub Divisional Officer, Rural electric Project, South Bihar Power Distribution Company Ltd., Electric Division Banka, District- Banka.
8. The Managing Director Hipnotech Company Ltd., Banka electric Division, Lal Kothi, Katoriya Road, District- Banka.
9. The District Magistrate Banka, District Banka.
10. The Superintendent of Police Banka, District Banka.
11. The Officer-in-charge of Bounsi Police Station, Bounsi, District Banka.

.... Respondents

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Appearance :

For the Petitioner : Mr. Balram Kapri, Advocate.
For the Respondents : Mr. Nasim Yahya, GP-13

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-11-2018

The present writ petition has been filed for the following reliefs –

“(i) For direction upon the respondents not to install the transmission line of 11000 K W electric wire over Raiyati land/Sahan land of the petitioner.



(ii) For further direction upon the respondent authorities to install transmission line on the place upon which earlier transformer of 440 K W was installed in the village which was a public land or in alternative if not possible then the same be installed on the land offered by the petitioner which is situated in close vicinity of the land where the respondent have proposed to install.

(iii) For any other relief or reliefs for which the petitioner is found entitled in the facts and circumstances of the case.”

2. Learned counsel for the parties are in agreement 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.

3. In the above view of the matter and with the consent of all the parties, 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)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
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