

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4055 of 2018

In
Civil Writ Jurisdiction Case No.13186 of 2018

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Baleshwar Rai, son of late Hardev Rai, resident of Mohalla Nasriganj, Biscuit
Factory Road, Durga Kol Store, P.S. Danapur, district Patna
... Petitioner

Versus

1. Pratyaya Amrit, The Chairman South Bihar Power Distribution Company
Bailey Road, Patna
2. Indra Bhushan Kumar Kashyap, Executive Engineer, Danapur Division
3. Arvind Kumar. The Assistant Engineer, Danapur Division, South Bihar
Power Distribution Company
4. Prabhu Pathak, the Junior Engineer, Danapur Division, South Bihar Power
Distribution Company
5. Pawan Kumar, the S.D.O., Danapur Division, South Bihar Power
Distribution Company, Ramji Chak Bataganj, Digha Patna
... Opposite Parties

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Appearance :

For the Petitioner : Mr. Pankaj, Adv.
For the Ops : Mr. Vinay Kirti Singh, Adv.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 28-11-2018 Heard the learned counsel for the petitioner and the

learned counsel for the South Bihar Power Distribution

Company.

Petitioner in the present application has initiated a
contempt proceeding against the opposite parties for violation of
the order, dated 02.08.2018, passed in C.W.J.C. No. 13186 of
2018. The petitioner had preferred the writ application for the
relief that an electric pole has been installed right in front of the
house and the wires are touching the house calling for calamity
any time. He submits that in spite of the order passed in
C.W.J.C. No. 13186 of 2018 the electric pole and wires have not



yet been removed.

Learned counsel for opposite party no. 5 has filed a show cause wherein in paragraph 7, it has been stated as follows :

“7 : That in compliance of the above order of the Hon’ble Court a joint inspection was conducted at the premises of the petitioner in presence of JEE (Project) Electric Supply Section, Digha, and JEE (Supply) Electric Supply Section, Digha. It was found that under Hon’ble Chief Minister Electrification Scheme (IPDS) a PSC pole has been installed on road near the house of the petitioner under the above IPDS Scheme which is being undertaken by M/s L & T Co. Ltd. For ensuring safety to the general public and particularly the petitioner’s house an insulated covered LT Cable (AB Cable) was already erected through the said PSC Pole. Again in light of the order dated 02.08.2018 passed by the Hon’ble Court one cantilever bracket has been installed on the said PSC pole and by means of covered and insulated cable (AB Cable) the distance has further been increased about 3 feet on 25.08.2018. The work undertaken for



electrification is technically sound and safe.”

He has enclosed the photographs of the pole which was erected before some work was carried out and, thereafter, I have perused the photographs of the pole before and after. Finding that now the work of electrification is safe and the electric pole not touching touching the premises of the house of the petitioner, this contempt application is **disposed off**.

(Nilu Agrawal, J)

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