

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18616 of 2015**

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Gupteshwar Prasad Son of Indrama Lal, Resident of Village - Nawadih, P.O.  
- Nawadih, P.S. - Indrapuri (Dehri), District - Rohtas.

... .. Petitioner

Versus

1. The Bihar State Power Holding Company Ltd. through its Chairman-cum-Managing Director, 1st Floor, Vidyut Bhawan, Bailey Road, Patna - 800001.
2. The Chairman-cum-Managing Director, Bihar State Power Holding Company Ltd., 1st Floor, Vidyut Bhawan, Bailey Road, Patna - 800001.
3. The Special Work Officer, Bihar State Power Holding Company Ltd., 1st Floor, Vidyut Bhawan, Bailey Road, Patna - 800001.
4. The South Bihar Power Distribution Company Ltd. through its Chairman-cum-Managing Director.
5. The Chairman-cum-Managing Director, South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna - 800001.
6. The Chief Engineer (Commercial), South Bihar Power Distribution Company Ltd, Patna.
7. The Executive Engineer, South Bihar Power Distribution Company Ltd, Dehri-on-Sone, Rohtas.
8. Mukhia Devi W/o Mohan Prasad Resident of Village - Nawadih, P.S. - Indrapuri (Dehri), District - Rohtas.
9. Mohan Prasad Son of Late Radha Sah Resident of Village - Nawadih, P.S. - Indrapuri (Dehri), District - Rohtas.
10. Bindu Sah Son of Mohan Prasad Resident of Village - Nawadih, P.S. - Indrapuri (Dehri), District - Rohtas.

... .. Respondents

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**Appearance :**

For the Petitioner : Mr. Sanjit Kumar, Advocate.

For the Respondents : Mr. Prakash Kumar, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date : 03-12-2018**

The present writ petition has been filed for quashing of the letter no. 79 dated 12.06.2015 issued by the Special Work Officer, Bihar State Power Holding Company Ltd., Patna (respondent no. 3).

2. Learned counsel for the petitioner submits that the impugned order has been passed without assigning reason and



without having considered the representation dated 09.05.2015 (Annexure-8) in its proper perspective. In any event, in view of the statements contained in paragraph nos. 16 and 17 of the counter affidavit of the respondent-Power Company, expressing that the grievance of the petitioner would be considered if the petitioner would file supporting documents to establish that the land in dispute was his own and that the mutation order of private respondent has been cancelled by L.R.D.C., Dehri-on-Sone in favour of the petitioner, it is submitted that the present writ petition need not be pressed on merits if liberty is granted to the petitioner to approach the respondent-Power Company with the necessary documents.

3. Learned counsel for the respondent-Power Company appears and has been heard.

4. Having regard to the stand and submission of the parties, the writ petition is disposed of with consent of the respondent-Power Company, granting liberty to the petitioner to approach the Executive Engineer, South Bihar Power Distribution Company Ltd. (respondent no. 7) with an appropriate representation with requisite documents within a period of two weeks from today. If any such representation is filed within the stipulated period, the same shall be considered and disposed of expeditiously and preferably within a further period of six weeks thereafter.



I.A. No. 7190 of 2018

5. This interlocutory application has been filed for impleading Sushila Devi as respondent no. 11 in the present writ petition. However, considering that no positive order is being passed in favour of the petitioner except granting liberty to approach the respondents, there appears no necessity to implead Sushila Devi as party respondent at the stage.

6. I.A. No. 7190 of 2018 also stands disposed of.

(Vikash Jain, J)

lbrar/BT

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| <b>AFR/NAFR</b>          | NAFR       |
| <b>CAV DATE</b>          | N.A.       |
| <b>Uploading Date</b>    | 11.12.2018 |
| <b>Transmission Date</b> | N.A.       |

