

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2006 of 2019

Rakesh Rai @ Rakesh Kumar Ray aged about 36 years (Male) Sri Bisheshwar Rai resident of Village- Rampur, Mani Tola, Police Station- Sakara, District- Muzaffarpur.

... .. Petitioner

Versus

1. The North Bihar Power Distribution Company limited through its Secretary Muzaffarpur East.
2. The Superintending Engineer, North Bihar Power Distribution, Company Limited, Muzaffarpur.
3. The Executive Engineer, Rural Ram Dayalu, Muzaffarpur East, Muzaffarpur.
4. The Assistant Engineer, Electric Supply Division, Sakara Dholi, Muzaffarpur.
5. The Excell Electric Distribution, Maripur, Muzaffarpur.
6. Lakhindar Sah Ram Chandra Sah Resident of Village- Rampur Mani Tola- Shankarpur, P.S. Sakara, District- Muzaffarpur.
7. Raj Kishore Sah Lakhindar Sah Resident of Village- Rampur Mani Tola- Shankarpur, P.S. Sakara, District- Muzaffarpur.
8. Awadh Kishore Sah Lakhindar Sah. Resident of Village- Rampur Mani Tola- Shankarpur, P.S. Sakara, District- Muzaffarpur.
9. Ram Kishore Sah @ Laddu Sah Lakhindar Sah Resident of Village- Rampur Mani Tola- Shankarpur, P.S. Sakara, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms. Kumari Sujata Sinha, Advocate
For the Respondent/s	:	Mr. Vinay Kirti Singh, Sr. Advocate
		Mr. Akhileshwar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-04-2019 This writ application has been preferred for a direction commanding the respondents to remove the 63 K.V. Transformer which has been installed and the wire of it is passing over on the hut of the petitioner.

It is the case of the petitioner that the petitioner has submitted an application dated 29.05.2018 with respondent no.



3 but when the same did not bring any result then he gave a legal notice as contained in Annexure '3' to the writ application but all his efforts went in vain.

It is submitted that the petitioner had also moved before the Sub-Divisional Public Grievances Redressal Officer, Muzaffarpur who by his order dated 05.09.2018 was pleased to reject his petition. A copy of the order passed by the Sub-Divisional Public Grievances Redressal Officer, Muzaffarpur is placed on the record as Annexure '5' to the writ application. On perusal of the order as contained in Annexure '5' it appears that the complaint of the petitioner was rejected because there was a report that the Transformer has been installed on the government land and not on the private land.

This court finds that in the writ application the order contained in Annexure '5' to the writ application is not under challenge. Since the Transformer has been found to have been installed on the government land, the direction, as sought for, cannot be given save and except to direct that the respondent authorities would be obliged to ensure the safety and security of the petitioner and in case naked electric wire is passing over the hut of the petitioner and is likely to cause any damage, adequate security and safety measures may be provided to avoid any such



incident.

With the aforesaid observations and directions, this writ application is disposed of.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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