

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22752 of 2019

Md. Junaid Son of Mohd. Faizul Hasan, Resident of Ward No. 13, Mehsaul Gote, P.S. Sitamarhi, Distt. Sitamarhi.

... .. Petitioner/s

Versus

1. Union of India through the Secretary, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi.
2. The Principal Secretary, Energy Department, Government of Bihar, 8, Daroga Rai Path, Patna.
3. The Divisional Railway Manager, Samastipur Division, Samastipur.
4. The Managing Director, Bihar State Power Holding Company Limited, Vidyut Bhawan, Jawaharlal Nehru Marg, Patna.
5. The Managing Director, Bihar State Power Transmission company Limited, Vidyut Bhawan, Jawaharlal Nehru Marg, Patna.
6. The Managing Director, North Bihar Power Distribution Company Limited, Vidyut Bhawan, Jawaharlal Nehru Marg, Patna.
7. The District Magistrate, Sitamarhi.
8. The Sub- Divisional Officer, Sitamarhi Sadar, Sitamarhi.
9. The Sub- Divisional Police Officer, Sitamarhi Sadar, Sitamarhi.
10. Deepak Kumar, The Project Manager-Cum- Executive Engineer, Electricity Department, Sitamarhi.
11. Kundan Kumar Yadav, Executive Engineer- Supply, Electricity Department, Sitamarhi.
12. Saurav Kumar, the Project SDO, Electricity Department, Sitamarhi.
13. Rajesh Sharma, Son of Jaychand Sharma, Project Contractor, Resident of Mohalla- Shanti Nagar, Ward No. 15, Panchayat- Rajopatti, P.S. Sitamarhi, District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa, Adv.
For the Respondent/s : Mr.Yogendra Prasad Sinha (Aag7)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-11-2019 Heard learned counsel for the petitioner and learned



counsel for the State.

Petitioner has prayed for the following reliefs:-

“(i) For issuance of writ in the nature of mandamus commanding the respondents to forthwith stop overhead drawing of 33kv high tension power lines between Amghatta – Mehsoul border towards south of Mehsoul Gate Railway line to Mehsoul Main Road Railway Crossing which would inevitably endanger the life of the dense inhabitants of the locality.

(ii) For issuance of writ of mandamus directing the respondent to use alternate mode of drawing of power line including underground wires, instead of overhead high tension wires using utility poles.

(iii) For issuance of writ of mandamus commanding the respondent authorities to departmentally proceed against all the erring officials, who are responsible for the aforesaid ongoing overhead drawing of 33 kv power line which is thoroughly in breach of the guiding norms.

(iv) For grant of any other relief in the interest of justice, equity and good conscience”.

Considering the nature of grievance raised in the



application, we are of the considered view that it would be appropriate if the petitioner were to first approach the respondent authorities by way of filing representation.

The present application is, accordingly, disposed of reserving the liberty to the petitioner to file appropriate representation before the appropriate authority within a period of four weeks. If such a representation is filed by the petitioner within the time stipulated, the authorities are directed to consider the same and dispose it of expeditiously and preferably within a period of three months thereafter.

With the aforesaid observations, this application is disposed of.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

K.C.Jha/-

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