

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24783 of 2019

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1. Ritik Kumar, Son of Sri Digamber Kumar Singh, Resident of Sugar Mill, Renua, P.S.- Town Siwan, P.O. and District- Siwan.
 2. Ranjan Kumar Singh, Son of Sri Ramesh Kumar Singh, Resident of near New Siwan Sugar Mill, P.S.- Town Siwan, P.O. and District- Siwan.
 3. Dinesh Kumar Singh, Son of Late Umashankar Singh, Resident of near New Siwan Sugar Mill, P.S.- Town Siwan, P.O. and District- Siwan.
 4. Vikash Kumar Singh, Son of Late Suresh Singh, Resident of Renua, P.S.- Hussainganj District- Siwan.
 5. Manoj Kumar Singh, Son of Sri Madan Singh, Resident of near New Siwan Sugar Mill, P.S.- Town Siwan, P.O. and District- Siwan.
 6. Rahul Kumar Singh, Son of Sri Ramesh Kumar Singh, Resident of Near New Siwan Sugar Mill, P.S.- Town Siwan, P.O. and District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary of Home and General Administration Dept. Govt of Bihar, Patna.
3. The Principal Secretary, Dept. of Forest Environment Govt. of Bihar, Patna.
4. The District Forest Officer, Siwan.
5. The Commissioner, Saran Division, Chapra.
6. The District Magistrate, Siwan.
7. The Superintendent of Police, Siwan.
8. The Dy. S.P. Siwan.
9. The Sub- Divisional Officer, Siwan.
10. The Chief Managing Director, Bihar State Power holding Co. Ltd, Patna.
11. Chief Executive Engineer, Electricity Dept, Siwan.
12. The Executive Engineer, Supply, Bihar State Power holding Co. Ltd, Siwan.
13. The Executive Engineer, Project, Bihar State Power holding Co. Ltd, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ravi Bhushan Verma, Advocate
For the Respondent/s : Mr. Sarvesh Kumar Singh (AAG13)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER



(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-12-2019

Petitioners have prayed for the following reliefs:-

- (i) For issuance of appropriate writ/writs, order/orders, direction/directions to stop affixing/installation of Electric pole and remove the installed pole for electric wire of 33 KAV line or change the route of 33 KVA Line from West- North side of Road in Ward No.05 of Siwan Nagar Parishad since there are many residential houses and two LPG Gas Godown are situated in West-North side of the road and 33 KVA electric line passing through that route may cause disaster in that locality. From East-South side of that Road electric pole & wire of 11 KVA line are passing from the year 1970 or prior to 1970.
- (ii) For issuance of appropriate writ/writs, order/orders, direction/directions to change the route of 33 KVA Line passing from West-North side of Road in Ward No.5 of Siwan Nagar Parishad where there are many residential houses of the people as well as two LPG Gas Godown are situated and further direct to take steps for passing the 33 KVA line from other route i.e. near from closed New Sugar Mill Siwan and Daha river which are also in Ward No.5 of Siwan Nagar Parishad or from the East-South side of Road on which electric pole and wire of 11 KVA



line are passing from the year 1970 or prior to 1970.

- (iii) For issuance of appropriate writ/writs, order/orders, direction/directions restraining them from cutting the trees situated near roadside of the P.W.D as well as in the private land of public and give compensation to the person whose trees has been cutted by the authority without his consent and without giving any compensation.
- (iv) For issuance of an appropriate writ/writs, order/orders, direction/directions upon the respondents Forest Dept. for planting trees along the aforesaid road and also take action for F.I.R. and Criminal case against the authority who directed for cutting the aforesaid trees.
- (v) For grant of any other relief or reliefs to which the residents of ward No.5 specially people residing Renua-Mill road of Siwan Municipality, District-Siwan are legally entitled.”

At this point in time, considering the averments made in the petition, which are vague and un-specific, we are not inclined to issue notice, more so, in the light of the observations made by the Hon’ble Supreme Court in **D. N. Jeevaraj Vs. Chief Secretary, Government of Karnataka & Ors, (2016) 2 SCC 653.**



As such, we dispose of the present petition reserving liberty to the writ petitioners to first approach the Government/authorities highlighting the issues involved. We are sure that as and when any such step is taken, the authority shall consider and take appropriate action expeditiously and in accordance with law.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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