

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4664 of 2017

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Mahanth Sri Nawal Kishor Das Chela Late Mahanth Ram Autar Das,
Resident of Village- Ramchandrapur Eksila @ Raipur, P.S.- Ujiyarpur,
District- Samastipur.

... .. Petitioner/s

Versus

1. The Bihar State Power Transmission Company Limited, Head office of Vidyut Bhawan, Baily Road, Patna -800021 through its Managing Director.
2. The Chief Engineer, Project- I, Head Office of Vidyut Bhawan, Baily Road, Patna- 800021.
3. The Electrical Executive Engineer, Samastipur.
4. The Assistant Electric Engineer, Dalsinghsarai, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dharendra Kumar Jha, Advocate
For the Respondent/s	:	Mr. Vinay Kirti Singh, Sr. Advocate
		Mr. Ritesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 18-02-2020

The petitioner has not been compensated for use of his land for erecting electric tower. The Bihar State Power Transmission Company Limited or the Bihar Grid Corporation do have the authority to maintain a telegraphic line under, over, along or across any immovable property in accordance with Section 10 of the Indian Telegraph Act, 1885. However, compensation for the use of the land of a private person is required to be paid and if there is any dispute with respect to the quantum of compensation, the concerned district judge could be approached for the needful.



In the present case, no compensation appears to have been paid to the petitioner for the use of his land by the Bihar State Power Transmission Company Limited for erecting electric tower.

Mr. Ritesh Kumar, learned advocate for the State Power Transmission Company Limited submits that there could be a possibility of the responsibility of making compensation being given to Bihar Grid Corporation. However, he admits that if the private/raiyati land is used for erecting electric tower, suitable compensation has to be given to such land holder. There is no instruction to him at the moment whether any compensation has been paid to the petitioner or not.

Needless to state that such compensation is only relatable to the quantum of damage to the crops on the field.

On the petitioner making a suitable representation before the respondent no. 2/Chief Engineer, Project-I, Head office of Vidyut Bhawan, Baily Road, Patna within a period of two weeks, the claim of the petitioner shall be verified and if it could be processed by respondent no. 1, it shall be done within a period of sixty days to be counted from the date of receipt of such representation. In case, the processing of the application for compensation is to be done by Bihar Grid Corporation, necessary arrangement



shall be made by respondent no. 2 to have the representation sent to the office of the Bihar Grid Corporation without any wastage of time. In that event, the Bihar Grid Corporation and its authorities would be under an obligation to process the claim of the petitioner and redress his grievance with respect to payment of compensation.

The entire exercise must be completed within a period of six months to be counted from today.

With the aforesaid direction/observation, the writ petition stands disposed of.

(Ashutosh Kumar, J)

Krishna/-
Gaurav S.

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.02.2020
Transmission Date	

