

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7240 of 2021**

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1. Dharambir Kumar Ram, Son of Shivjee Ram, Resident of Mahanar, Marauatpur, P.s.- Desari, Vaishali, Bihar, Pin code- 844506
  2. Manju Devi, wife of Jaleswar Ram, Resident of Mahanar, Marautpur, P.s.- Desari, Vaishali, Bihar, Pin code- 844506

... .. Petitioner/s

Versus

1. The State of Bihar through its Chairman, North Bihar Power Distribution Co. Ltd.
2. District Magistrate, Vaishali
3. The Superintendent of Police, Hajipur, Vaishali
4. The Electrical Executive Engineer, Konharaghat, Hajipur, Vaishali
5. The Junior Electrical Engineer, Sahdei Buzurg, Vaishali
6. Umesh Ram Son of Late Brahmadev Ram Resident of village- Marauatpur, Post- Marauatpur, P.s.- Desari, District- Vaishali, Bihar, Pincode- 844506
7. Rampravesh Ram Son of Late Ram Chandra Ram Resident of village- Marauatpur, Post- Marauatpur, P.s.- Desari, District- Vaishali, Bihar, Pincode- 844506
8. Sant Lal Ram Son of Late Mishri Ram Resident of village- Marauatpur, Post- Marauatpur, P.s.- Desari, District- Vaishali, Bihar, Pincode- 844506
9. Shivnath Ram Son of Late Anandi Ram Resident of village- Marauatpur, Post- Marauatpur, P.s.- Desari, District- Vaishali, Bihar, Pincode- 844506
10. Raja Babu Ram Son of Prem Das Resident of village- Marauatpur, Post- Marauatpur, P.s.- Desari, District- Vaishali, Bihar, Pincode- 844506
11. Ashok Ram Son of Brahmadev Ram Resident of village- Marauatpur, Post- Marauatpur, P.s.- Desari, District- Vaishali, Bihar, Pincode- 844506

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Saurabh Bishwambhar, Advocate

For the Respondent/s : Mr. Vinay Kirti Singh, Sr. Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE THE CHIEF JUSTICE)**



**(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)**

**Date : 04-01-2022**

Heard learned counsel for the parties.

Petitioners have prayed for the following relief(s):-

- i. To refrain the respondent NO-5 from erecting electric pole on the private land of the petitioners.
- ii. To order the respondent No-5 as such to obey the order passed by Additional Collector in case no- 518310130111802836/1A dated 04/11/2019.
- iii. To direct, respondent No-4 and 5 not to act in contravention of his powers and duties.
- iv. To direct respondent No-4 and 5 not to act in aid and advise of respondent no 6 to 11 and to carry out their act legally.
- v. To direct respondent No-2 to maintain law and order in the petitioner's habitat.



After the matter was heard for some time, learned counsel for the petitioners, under instructions, states that petitioners shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioners will be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioners, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioners will approach the authority concerned i.e Respondent No. 4, namely the Electrical Executive Engineer, Konharaghat, Hajipur, Vaishali, within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The said authority shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along



with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioners to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioners take recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioners to approach the appropriate forum, if the need so arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits.  
All issues are left open;

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.



Interlocutory Application(s), if any, stands disposed  
of.

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

Ashwini/K.C.Jha

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