

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10887 of 2015

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Jwala Prasad Sharma S/o late Krishna Singh, R/o vill. P.O.- Gopalpur, P.S.-
Naubatpur, District- Patna.

... .. Petitioner/s

Versus

1. The Power Grid Corporation Of India Ltd.
2. The General Manager Transmission, Power Grid Corporation of India Ltd.
Purbi Mukhyalaya, at Alankar null null
3. The Additional General Manager, Transmission, Power Grid Corporation of
India Ltd. Purbi Mukhyalaya
4. The Deputy General Manager, Transmission, Power Grid Corporation of
India Ltd. Purbi Mukhyalaya, at
5. The Senior Engineer C.E. power Grid Corporation of India Ltd. Patna, Purbi
Mukhyalaya, Alankar Pal
6. The Electrical Executive Engineer, Transmission, Khagaul, Patna.
7. The Bihar State power Transmission company Ltd. Khagaul, Patna.
8. The Circle officer, Khagaul, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey, Adv.

For the Respondent/s : Mr. Janardan Prasad Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 13-12-2022

1. Heard the parties.

2. The petitioner by way of this writ petition assails
the action of the respondents in erecting the transmission grid
pole on the land of the petitioner without paying full
compensation.

3. A Division Bench of this Court in case of **The
Power Grid Corporation of India Ltd. through its Managing
Directors & Ors. Vrs. Madan Mohan Lal Das & Ors. (2018
(1) P.L.J.R. 139)** has held as under:-



*“3. From the aforesaid, it is clear that the judgment rendered in the case of **Ram Naresh Singh** (supra) has been quashed by the Supreme Court and liberty has been granted to the petitioner therein to get the issue settled by approaching the District Judge as indicated therein. That being the order passed by the Supreme Court and once the learned Writ Court has decided the writ petition in the light of the law laid down in the case of **Ram Naresh Singh** (supra), these appeals are also liable to be allowed, the order passed by the Writ Court quashed and the liberty granted to the respondents petitioners in the original writ petitions to take recourse to the remedy of approaching the District Judge as granted by the Supreme Court.*

4. Accordingly, we allow these appeals, quash the orders dated 25.7.2011 passed in C.W.J.C. Nos. 11195 of 2010 and 3996 of 2010 and grant liberty to the petitioners therein to proceed in the matter as indicated above.”

4. In view of above, the present writ petition is also decided granting liberty to the petitioner to proceed in the matter as indicated in the aforesaid order.

5. The writ petition is disposed of.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 44

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