

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14016 of 2021

Prasanna Kumar Jha, Son of Late Tarakant Jha, resident of Village-Ramapur,
Police Station-Tajpur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Energy Department, Government of Bihar, Patna.
2. The Bihar State Power Transmission Company Ltd. through its Chairman.
3. The District Magistrate, Samastipur.
4. The Land Acquisition Officer, Samastipur.
5. The Executive Engineer (Electrical), Samastipur.
6. The Assistant Executive Engineer (Electrical), Samastipur.
7. The Circle Officer, Tajpur, District-Samastipur.
8. Mamta Devi, Wife of Dinesh Jha, resident of Village-Kalyanpur, Police Station-Sarayranjan, District-Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Advocate Mr. Anirudh Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Rajiv Roy (GP1) Mr. Vinay Kirti Singh, Advocate Mr. Vijay Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 08-02-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

The petitioner is seeking quashing of a public notice issued by the Bihar State Power Transmission Company Limited,



to the extent it discloses that consent was given by the owner of the land as described in item No. 4 of the said notice for setting up 220/132/33 KV Grid Sub-Center at Bheria Brahmottar in the district of Samastipur.

Learned counsel appearing on behalf of the petitioner has submitted that though no such consent was given by the petitioner/land owner, in the notice, his consent has been incorrectly mentioned.

From a note at the bottom of the notice, it can be inferred that the land owners were given opportunity to raise objection in respect of the said notice within 15 days from the date of its publication. The said notice was published on 25.04.2020. It is the petitioner's case that he filed an objection on 06.06.2020, admittedly beyond the date stipulated in the said notice.

Learned counsel for the petitioner submits that a fraud has been played by private respondent No. 8, out of which the land owner's consent has been shown in the notice.

It appears from the pleadings on record and submission made on behalf of the petitioner that the dispute in relation to land in question is somewhere between the petitioner and the private respondent No. 8. In any view of the matter, the



petitioner admittedly did not raise any objection within time stipulated in the notice. We, therefore, do not find any occasion for this Court to interfere in the matter at this stage in a writ proceeding under Article 226 of the Constitution. This application is accordingly dismissed.

The petitioner shall however be at liberty to pursue his remedy before appropriate forum in accordance with law.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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