

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17739 of 2019

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Shyara Khatun W/o Liyakat Ali, Resident of Mohalla-Karimchak, P.S.-Chapra
Town Distt-Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Holding Co. Ltd. through its Chairman-cum-Managing Director, resident of Mohalla-Vidut Bhawan, Bailey Road, P.S. Kotwali, Distt-Patna
3. The Managing Director, North Bihar Power Distribution Ltd., Vidut Bhawan, Bailey Road, P.S. Kotwali, Patna
4. The Executive Electric Engineer, Saran at Chapra-32/33 Grid substation Electric division, Chapra
5. The District Magistrate Saran at Chapra

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar, Advocate
		Mr.Rajani Kumar, Advocate
For the Respondent/s	:	Mr.Subash Prasad Singh (GA3)
For Res. No.6 & 7	:	Mr.Harendra Kumar Tiwary Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 15-12-2022

Petitioner has prayed for following relief (s) : -

“i. That this is an application for issuance of Writ in the nature of mandamus to direct respondents concerned either remove the pole or pay to suitable amount whereby and whereunder respondents



concerned stable the pole in which pulling high voltage wire as well as also cutting 5 palm tree from the land of the petitioner situated westorn Rauja P.S.Chapra town Distt-Saran at Chapra Vide Khata no.2 Servey no.318 Rakba 08 Katha 01 dhur which is illegal, malafide.

(ii) That for issuance of any other relief or reliefs petitioner is entitled in the eye of law.”

After the matter was heard for some time, finding the Court not in favour of the submissions made across the Bar, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings, including under the Telegraph Act, before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.

Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

It stands clarified that all issues of fact and law are left open to be agitated before the competent authority.



Interlocutory application(s), if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

KC Jha/chn

AFR/NAFR	
CAV DATE	
Uploading Date	20.12.2022
Transmission Date	

