

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17719 of 2019

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1. Sumitra Devi Wife of Sri Laxuman Bhagat, Resident of Village-Shitalpur, P.S.-Chakiya, District-East Champaran.
 2. Vinod Kumar Son of Late Kailash Sah Resident of Village-Chakiya Motihari Road, P.S.-Chakiya, District-East Champaran.
 3. Kashi Sahni Son of Jagarnath Sahni Resident of Village-Baishaha, P.S.-Chakiya, District-East Champaran.
 4. Khayali Sahani Son of Ramlal Sahni. Resident of Village-Baishaha, P.S.-Chakiya, District-East Champaran.
 5. Munna Sahni Son of Sri Ram Julum Sahni Resident of Village-Baishaha, P.S.-Chakiya, District-East Champaran.

... .. Petitioner/s

Versus

1. The Bihar State Power Holding Company Patna through its Chief Managing Director, Bihar, Patna.
2. The General Manager Cum Chief Engineer, Bihar State Power holding company Bihar, Patna
3. The Electrical Superintending Engineer, Bihar State Power holding company,north Bihar Motihari.
4. The Electrical Executive Engineer, Electric Supply Chakiya, District-East Champaran.
5. The Electrical Assistant Engineer Electric Supply Sub-Division Chakiya, District-East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar Tondon, Advocate
For the Respondent/s	:	Mr. Vinay Kirti Singh, Sr. Advocate
For the N.B.P.D.C/W	:	Mr. Vijay Kumar Verma, Advocate
		Mr. Akhileshwar Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)



2 08-12-2022 Petitioners have prayed for the following relief(s):-

“That this is an application for issuance of appropriate writ order or direction an commanding the respondent to show cause as to why the electrical pole fixed in the middle of petitioner's residential plots, be not removed and/or further writ order or directions commanding the respondents to shift the said electric poles to the northern side of the residential plots of the petitioners.”

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioners, more so in view of the disputed question of fact, fairly states that petitioners be permitted to take recourse to such equally, efficacious alternative remedies as are available in accordance with law.

Permission granted.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in appropriate proceedings.



Petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Spd/-Sujit

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