

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21337 of 2019

Raj Deo Mahto Son of Rajendra Mahto Resident of Village- Saidpur
Tole Kanua, Police Station- Chakmehsi, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Energy Department, Government of Bihar, Patna.
2. The Assistant Electrical Engineer (Project), North Bihar Power Distribution Co. Ltd., Electric Supply Division, Samastipur.
3. Second Appellate Authority, Under Right to Public Grievance Redressal Act, cum District Magistrate, Samastipur.
4. First Appellate Authority Under Right to Public Grievance Redressal Act, cum Additional Collector, Samastipur.
5. Authority Under Right to Public Grievance Redressal Act, Cum Sub Divisional Officer, Samastipur.
6. The Station House Officer, Police Station- Chakmehsi, Samastipur.
7. North Bihar Power Distribution Company Ltd Through Assistant Electric Engineer (Project) Electric Supply Division, Samastipur.
8. Bidynath Mahto S/o Sri Late Deo Narayan Mahto Resident of Village Pispur cha, P.S. Piar, District- Muzaffarpur.
9. Jay Kishor Mahto S/o Late Ramnarayan Mahto Resident of Village- Saidpur Tole Kanua, Police Station- Chakmehsi, District- Samastipur.
10. Ram Kumar Mahto S/o Late Ramesh Mahto Resident of Village- Saidpur Tole Kanua, Police Station- Chakmehsi, District- Samastipur.
11. Ashok Kumar Mahto S/o Babulal Mahto Resident of Village- Saidpur Tole Kanua, Police Station- Chakmehsi, District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate



For the State : Ms. Vandana Singh, Advocate
Mr. Subhash Pd. Singh, GA-3
Mr. Indeshwari Prasad, AC to GA-3
For the Respondent/s : Mr. Anand Kumar Ojha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-12-2022 Petitioner has prayed for the following relief(s):-

“This is an application is being filed in nature of certiorari to quash the order dated 26.04.2018 passed in Second Appeal passed by Second Appellate Authority, Under Right to Public Grievance Redressal Act, cum District Magistrate, Samastipur, order dated 07.03.2018, passed in First Appeal passed by First Appellate Authority Under Right to Public Grievance Redressal Act, Cum Additional Collector Samastipur and also order dated 19.01.2018 passed by Authority Under Right to Public Grievance Redressal Act, Cum Sub Divisional Officer, Smastipur whereby the grievance of the petitioner has been rejected on the basis of collusive report of Assistant Electric Engineer (Project) of North Bihar Power Distribution Co. Ltd., Electric Supply Division, Samastipur, vide his letters dated 4.4.18, 7.3.18 and 3.1.18 submitted before the respective respondent and further for issuance of writ in the nature of mandamus or any appropriate writ/s order/s, direcion/s to the respondent not to stretch the electric wire over the house of petitioner which isis danger for life of the petitioner and his family



member. And for any appropriate writ/s, order/s, direction/s to the respondents for which petitioner is entitled under the facts and circumstances of the case.”

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies as are otherwise permissible and admissible in accordance with law as also represent to the appropriate authority i.e. respondent No. 7 namely, North Bihar Power Distribution Company Ltd Through Assistant Electric Engineer (Project) Electric Supply Division, Samastipur, venting out the grievances, subject-matter of the present petition.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present petition is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner’s application/request expeditiously and preferably within a period of three months from the date of its presentation.

Needless to say that while considering such request, principles of natural justice shall be followed and due



opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

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