

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20157 of 2019

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Syed Faizur Rahman, Son of Syed Hifzur Rahman, resident of 0159,
Phulwaria Ward 01, West Tola, P.O. and P.S.- Phulwaria, District- Begusarai.

... .. Petitioner/s

Versus

1. The Principal Secretary Dept. of Energy Vidyut Bhawan, Patna.
2. The M.D., North Bihar Power Holding Company, Baily Road, Vidyut Bhawan, Patna.
3. Electric Inspector North Bihar Power Holding Company, Vidyut Bhawan, Baily Road, Patna.
4. Assistant Electric Superintending Engineer, North Bihar Power Holding Company, Barauni, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs.Archana Sinha @ Archana Shahi, Advocate
For the Respondent/s : Mr.Vinay Kirti Singh, Sr. Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 12-12-2022

Petitioner has prayed for following relief (s) : -

“I) Issuance of Writ in the nature of Mandamus for directing the respondents to remove the electric pole which was fixed by the respondent just adjacent to the house of the petitioner from his private ancestral land.

II) For directing the respondents to pay the compensation to the petitioner for fixing a poll on the private ancestral land of the petitioner.

III) For any other consequential reliefs for which the petitioner is entitled during course of hearing of this writ petition, and in the facts of this case.”

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 petitioner, more so in view of the disputed question of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies as are available in accordance with law.

Permission granted.

Petition stands disposed of in the aforesaid terms.

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)

Sujit/chn

AFR/NAFR	
CAV DATE	
Uploading Date	17.12.2022
Transmission Date	

