

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22498 of 2019

=====

Ranjandhari Singh Son of late Bhagwat Ray, Resident of Village- Kunjawa,
Kauriya, P.S. District- Patna- 801103

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Dept. of Energy, Govt. of Bihar.
2. The South Bihar Power Distribution Company Ltd. (SBPDCL), through its Chairman-Cum-Managing Director.
3. The Collector-Cum-District Magistrate, Patna.
4. The Additional Collector, Public Grievance Cell, Patna..
5. The Sub-Divisional Public Grievance Officer, Danapur, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh, Advocate Mr. Sarijan Jha, Advocate
For the Respondent/s	:	Mr. Yogendra Pd. Sinha, AAG-7 Mr. Vinay Kirti Singh, Sr. Advocate Mr. Shrekant Sharan Singh, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 13-12-2022

Heard learned counsel for the parties.

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

- I. To issue an appropriate writ/direction/order in the nature of mandamus to command all respondent authorities to notify and immediately stop all unauthorized constructions and installations over the land of the petitioner that has been forcefully taken over by the contractors hired by Respondent No. 2



- II. To issue an appropriate writ/order/direction in the nature of mandamus, directing the respondent Collector to assess whether the laying of the electric line over the land of the petitioner is the most cost-efficient solution to establishing an electric line for the nearby state tubewell
- III. To issue an appropriate writ/order/direction in the nature of mandamus commanding the respondent authorities to formally initiate a land acquisition process if it is found that the land in question, belonging to the petitioner is the only way to establish an electric supply to the nearby state tubewell, and in accordance with that tubewell initiate actions and provide compensation to the petitioner
- IV. To grant any other relief of reliefs for which the petitioner is found to be entitled in the facts and circumstances of the 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, under instructions, seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies, as are otherwise available, in accordance with law, including the remedy under the Indian Telegraph Act, 1885.

Permission granted.

We are sure that as and when any such proceedings are initiated, before the appropriate forum/Tribunal, the same shall be considered and decided expeditiously, in accordance with law.

Needless to add, period for which the petitioner has



been pursuing the matter before this Court, shall be excluded for the purpose of computing limitation.

It is made clear that we have not expressed any opinion on merits. All issues are left open.

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

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	14.12.2022
Transmission Date	

