

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2722 of 2023

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Banarasi Devi, aged about 68 years (Female) W/o Harihar Sahni, R/o- Vill-
Ramnagar Goslavar P.O.- Laheriasarai P.S.- Bahadurpur Distt- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Energy Department, Govt. of Bihar, Patna.
2. The Managing Director, Power Grid Corporation of India Ltd., Vidyut Bhawan, Bailey Road, Patna.
3. The Chief Engineer, Power Grid Corporation of India Ltd., Vidyut Bhawan, Bailey Road, Patna.
4. The General Manager, Power Grid Corporation of India Ltd having its one Grid at Dariyapur Kafan, N.H. 77 P.S. Turki Distt- Muzaffarpur 844127.
5. Power Grid Mithilanchal Transmission Ltd through its Managing Directors, B- 9 Qutab Institutional Area, Katwarisarai, New Delhi, South Delhi DL 1100161N
6. The Executive Engineer, Power Grid Mithilanchal Transmission Ltd, Sitamarhi, Darbhanga.
7. The Assistant Engineer, Power Grid Mithilanchal Transmission Ltd, Sitamarhi, Darbhanga.
8. The Junior Engineer, Power Grid Mithilanchal Transmission Ltd, Sitamarhi, Darbhanga.
9. The District Collector, Darbhanga.
10. The District Horticulture Officer, Darbhanga.
11. The Circle Officer Hayaghat, Darbhanga, Dist- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate.
For the Respondent/s : Mr. Kinkar Kumar, SC-9.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

9 05-12-2023 Heard learned counsel for the parties.

2. The present Writ Petition has been filled for the
following reliefs:-

“.....for issuance of writ/writs,
order/orders Direction/ directions, to the respondents



to pay the compensation to petitioner based on following the procedure of law and consideration of substantive law and guideline issued by the government under the Electricity Act as her trees mentioned in Annexure-3, which were cut in construction of transmission line and taken her land by the respondent the Power Grid Mithilanchal Transmission Ltd. Muzaffarpur in accordance with rule existing at that time but other hand arbitrarily serving the notice even not duly signed by the concerned authority and paid highly inadequate compensation amount to petitioner ex part without serving a copy of order of compensation award without consideration of compensation law and procedure establish by law with a prayer to consider the case of petitioner by respondents a fresh after giving ample opportunity of hearing her in accordance with law for securing the proper, just and due compensation for which she is entitled.”

3. Without going into the merits or demerits of the case, having regard to the fact that the petitioner has an alternative and efficacious remedy of approaching the District Judge under Section 10(d) of the Indian Telegraph Act, 1885 for payment of enhanced compensation/damages, the present writ petition is disposed off granting liberty to the petitioner to approach the competent District Judge having the jurisdiction to entertain the petition filed by the petitioner under Section 10(d) of the Indian Telegraph Act, 1885. Four weeks' time is granted to the petitioner to approach the said District Judge, who shall deal with the case in accordance with law.



4. With the above directions, the present Writ
Petition stands disposed off to the extent indicated above.

(A. Abhishek Reddy , J)

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