

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17370 of 2016**

Shiv Nath Shahi Son of Late Raghunath Prasad Shahi, Resident of Village-  
Sandha Damber, P.S. Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chairman, Bihar State Power Transmission Company Limited, Vidyut Bhawan, 4th Floor, Bailey Road
3. The Managing Director, Bihar State Power Transmission Company Limited, Vidyut Bhawan, 4th Floor, Ba
4. The Larsen and Tourbo India Limited through its Chairman, L and T House, Ballard Estate, P.O. Box No. 278, Mumbai-400 001, State Maharastra through its Managing Director.
5. The Managing Director, Larsen and Tourbo India Limited through its Chairman, L and T House, Ballard Estate, P.O. Box No. 278, Mumbai-400 001, State Maharastra
6. The Chief Engineer, Bihar State Power Transmission Company Limited through its Managing Director, Vidyut Bhawan, 4h Floor, Bailey Road, Patna
7. The Project Manager, Larsen and Tourbo L & T, Bairiya, P.S. Ahiapur, District- Muzaffarpur.
8. The District Magistrate, Muzaffarpur.

... .. Respondent/s

**Appearance :**

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| For the Petitioner/s | : | Mr.Bishnu Kant Dubey, Advocate<br>Mr. Akhilesh Kumar, Advocate<br>Mr. Lalmani Sharma, Advocate |
| For the Respondent/s | : | Mr.Yogendra Pd. Sinha, AAG-7<br>Mr. Rajeev Kumar Sinha, AC to AAG-7                            |
| For the B.P.T.C.     | : | Mr. Anand Kr. Ojha, Advocate                                                                   |

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      25-07-2023      1.              The present writ petition has been filed  
seeking the following relief:

*“1. That this is an application for  
issuance of a writ in the nature of  
Certiorari to quash the order dated  
12.08.2016 passed in Case No. 66  
Misc./2015-16 by the District*



*Magistrate, Muzaffarpur, whereby despite admitting the claim of the petitioner on the basis of law and policy / Guideline on entirely frivolous ground has rejected the claim application, which application was filed pursuant to the order of this Hon'ble Court passed in C.W.J.C. No. 11803/2015 on 06.08.2015 and for issuance of a writ in the nature of Mandamus directing and commanding the respondents to remove the encroachment made by the respondent Bihar State Power Transmission Company Limited and Larsen and Turbo (L&T) installing tower illegally and forcibly for the Electricity Transmission over the land of the petitioner bearing Plot No. 2371 and 2374 of Khata No. 294 under Mauza-Sandha Damber, Thana-Paru, Anchal-Motipur, District-Muzaffarpur measuring area of land 18 decimals and 16 decimals total containing 8 Kathas commercial land without adopting taking any process of law for the acquisition of land and making payment of compensation as also to*



*make payment of compensation of the encroached land as per guidelines for payment of compensation given by the Government of India, Ministry of Power issued on 15.10.2015 and /or for issuance of a writ/ order/ direction for which the petitioner may be found legally entitled to under the facts and circumstances stated-in-under.”*

2. At the outset, the learned counsel for the petitioner submits that he be granted liberty to approach the learned Court of District Judge, Muzaffarpur for redressal of his subsisting grievances as also for assailing the order dated 12.08.2016 passed by the Collector, Muzaffarpur in Miscellaneous Case No. 66 of 2015-16. Liberty so sought is granted.

3. The writ petition stands disposed off.

**(Mohit Kumar Shah, J)**

S.Sb/-

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