

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8169 of 2016

Vibha Sinha W/o Late Ram Naresh Prasad Singh, resident of village- Kanhara
Raghu, P.S. Bochaha, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Department of Land Reforms,
Bihar, Patna
2. The Collector-cum-District Magistrate, Muzaffarpur.
3. The Sub-Divisional Officer, Muzaffarpur, East.
4. The Circle Officer, Bochaha, District- Muzaffarpur.
5. The District Land Acquisition Officer, Muzaffarpur.
6. The Bihar State Electric Transmission Company Limited, through its
Secretary, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Suneil Kumar Thakur, Advocate
For the Respondent/s	:	Mr. Anil Kr. Sinha, GA 9
		Mr. Vinay Kirti Singh, Advocate
		Mr. Akhileshwar Singh, Advocate
		Mr. Venkatesh Kirti, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-01-2024 Heard learned counsel for the parties.

2. This writ application has been filed to quash the notices dated 22.02.2016 and 28.04.2016 whereby petitioner has been informed that the Bihar State Electric Transmission Company Ltd. is authorized to make foundation of transmission towers erection and wire pulling without acquiring the land for which payment would be made for the damages done to the standing crops and trees, if any and further to direct the respondent authorities to make payment of the compensation amount to the petitioner for her land measuring an area of 22



decimals falling under Khesra No. 896, Khata No. 173 Thana No. 716 situated in village- Kanhara Raghu, P.S. Bochacha, District- Muzaffarpur.

3. Learned counsel for the State raises preliminary objection to the effect that statutory alternative remedy is available to the petitioner by way of filing an application under **Section 16(3) of the Indian Telegraph Act, 1885** which reads as:

“Section 16. Exercise of powers conferred by section 10, and disputes as to compensation, in case of property other than that of a local authority.

(3) If any dispute arises concerning the sufficiency of the compensation to be paid under section 10, clause (d), it shall, on application for that purpose by either of the disputing parties to the District Judge within whose jurisdiction the property is situate, be determined by him.”

4. Learned counsel for the petitioner does not dispute the above proposition.

5. Taking into consideration the aforesaid facts of the case, this writ petition is disposed of with liberty to the petitioner to file an application before the concerned District Judge along with all the relevant documents in support of the claim.

6. With the aforesaid observations, writ petition is



disposed of.

(Prabhat Kumar Singh, J)

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