

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17625 of 2016

=====

Lalmuni Devi Wife of Late Ramayodhya Choudhary, Resident of village -
Rupanchak, P.O. P.S. Hathua, District - Gopalganj

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Energy Department,
Government of Bihar, Patna
2. The Managing Director, Bihar State Electricity Board, Patna
3. The Managing Director, North Bihar Power Distribution Company Ltd.
Patna

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate
For the Respondent/s	:	Mr. Kinkar Kumar-SC 9
For the Power Company:	:	Mr. Vinay Kirti Singh, Sr. Advocate

=====

**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY**

ORAL ORDER

4 26-06-2024 Heard learned counsel for the parties.

2. The petitioner has filed the instant application
for the following reliefs:

*“(A) A writ in the nature of Mandamus
or any other appropriate writ, order/s, direction/s
commanding the Respondents:-*

*1. To shift one of the pole of Double
Pole (D.P.) of 33 KV line Hathua to Dhodaghat
towards east direction and release the front face on
road side of the land of Petitioner since she has
planned to make her home on the said land and in the
current circumstances, it seems to be impossible to
make house on the said land without shifting it in the
same direction.*

ii. To shift the same before the 33 KV



wires gets mounted over the Double Pole, since it is an on going project of the North Bihar Power Distribution Company Ltd. and shifting it on time before the wire installation would be a better proposition for both, Petitioner and the Respondents.

iii. To restrain the Respondents from installing the pole and ruining the nature of land of the Petitioner.

(B) Further issue direction to the Respondent to not to disturb or ruin any rights or entitlements arising of any personal land / property.

(C) To any other relief/s to petitioner is found entitled to.”

3. At the outset, Learned counsel for the respondents contended that since this matter is squarely covered under the judgment dated 24.06.2024 passed in **CWJC No. 17834 of 2016 (Pramod Nath Tiwary Vs. The State of Bihar & Ors.)** by this Court, this writ petition may also be disposed of on the same terms and conditions.

4. After perusal of the aforesaid judgment, the Learned counsel for the petitioner seeks liberty to make appropriate application for compensation before the appropriate authority.

Having regard to the submissions made by the learned counsel for the petitioner, the present writ petition stands disposed of in terms of the aforesaid judgment rendered



by the Hon'ble Apex Court in the case of **Power Grid Corporation of India Ltd.** reported in **2017(2) PLJR (SC) 152** with liberty to the petitioner to seek appropriate compensation by approaching the concerned District Judge and in case, any such petition is filed, the same is expected to be disposed of expeditiously by the learned court below. It is needless to state that in case, appropriate petition is filed within a period of four weeks from today, the same shall be examined and considered on merits by the appropriate court and shall dispose of the case preferably within four months.

7. With the aforesaid direction the writ petition stands disposed of.

8. Interlocutory Application, if any, shall stands disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

U			
---	--	--	--

