

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3980 of 2021

Vijay Kishor Ray @ Vijay Kishor Yadav S/o Late Ram Pavitar Ray Resident
of Village - Jafarabad, P.S. Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

1. The Union of India through the General Manager, Power Grid Corporation of India Ltd. (Government of India Enterprises), 400 K.V.D.C. Budh - Gorakhpur Pareshan Line Office, 400/220 K.V. Sub-Center, Dariyapur Kafan, N.H. 77, Muzaffarpur, Pin Code- 844127.
2. The General Manager, Power Grid Corporation of India Ltd. (Government of India Enterprises), 400 K.V.D.C. Badh - Gorakhpur Pareshan Line Office, 400/220 K.V. Sub-Center, Dariyapur Kafan, N.H. 77, Muzaffarpur, Pin Code - 844127.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Verma, Advocate
For the PGCIL	:	Dr. K. N. Singh, ASG

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 16-07-2024

Heard Mr. Jai Prakash Verma, learned counsel for the petitioner and Dr. K. N. Singh, learned counsel appearing on behalf of the Power Grip Corporation of India Limited.

2. The present writ petition has been filed for direction upon the respondent-authority to pay to the petitioner suitable compensation at least fifteen lakhs against his agriculture land acquired by the respondents in the year 2013 for fixing tower of electric line i.e. Khata No. 62/1, Location tower no. 88/1, Area 87x65 square meter.

3. Learned counsel for the petitioner submits that in the year, 2013 a notice was issued on behalf of the Power Grip



Corporation of India Ltd the petitioner was directed to remove his crops from his field as mentioned aforesaid. He further submits that petitioner has not received any compensation from the Corporation then he send a legal notice dated 24.09.2018, 26.10.2018 and 18.08.2018. Thereafter, the petitioner filed a representation on 28.09.2020 before the Corporation with the request that to provide compensation.

4. Learned counsel for the Corporation has filed a detailed counter affidavit stating therein that the subject matter of the present writ petition pertaining to construction of 400KV D/c Barh-Gorakhpur Power Transmission Line and the same was constructed in the year 2012-15. The Corporation has already issued a cheque bearing no. 016303 dated 21.05.2014 amounting to Rs.32,251/- to the petitioner as compensation towards the damage caused to his crops during construction of the subject transmission line. In the year 2020, the petitioner approached the Corporation alleged that he has not received any compensation thereafter the respondent-Corporation has made an enquiry and it was found that the compensation cheque issued to the petitioner could not be credited in petitioner's bank account due to discrepancy in the name of the petitioner in his bank account. The cheque was issued in the name of 'Vijay Kishor Yadav' whereas the petitioner's bank account is in the name of 'Vijay



Kishore Ray’. Thereafter, the petitioner has filed an affidavit declaring that both the persons ‘Vijay Kishor Yadav’ and ‘Vijay Kishore Ray’ is the same person and submitted his bank details for online payment of compensation. Thereafter, the respondent has credited Rs. 32,251/- towards compensation amount in the bank account of the petitioner on 27.10.2020.

5. Learned counsel for the Corporation further submits that the land of the petitioner never acquired by the corporation only user rights are acquired by the telegraph authority for the purpose of placing and maintaining telegraph lines and posts under the Telegraph Act. The same has been unequivocally clarified under Section 10(b) of the Telegraph Act.

6. It appears from the aforesaid facts that petitioner has received the amount of compensation from the corporation, no interference is required.

7. Dismissed.

(Rajesh Kumar Verma, J)

ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.07.2024
Transmission Date	NA

