

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8713 of 2017

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Ashok Rao S/o Late Ramotar Rawat Resident of Village P.O. P.S. - Malaypur,
District - Jamui.

... .. Petitioner/s

Versus

1. The Bihar State Power Holding Company Ltd. Bihar, Patna at Vidyut Bhawan, Baily Road, Patna.
2. The Chairman, The Bihar State Power Holding Company Ltd. Bihar, Patna.
3. The Chief Managing Director, The Bihar State Power Holding Company Ltd., Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Sinha, Advocate
For the Respondent/s	:	Mr.Vinay Kirti Singh, Sr. Advocate
	:	Mr. Ritesh Kumar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 22-08-2025

1. Heard the Learned counsel for the parties.

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

“ (i) For a direction to the respondent not to encroach the land of the petitioner and not to establish the Electrical Tower over the land of petitioner situated at mauza Akshara Khata No. 21 Khesara no. 335 measuring an area of land 17 decimals having its boundary as North – Rasta, South – Jhakar Rawat, East- Doman Rawat, West- Doman



Rawat, Anchal Barhat in the District of Jamui.

(ii) Further for a direction to stop the any kind of work of Electrical Tower over the land of petitioner as described above.

(iii) Further for a direction that if the respondent intended to work for Establishment of Electrical Tower then they may be directed to work the same but after following the due process of law to acquire the land and to pay the admissible compensation on the basis of New Land Acquisition Act but one side of the plot in question as 50 meters back or 50 meter forward from the demarked land so that part of plot (land) may be saved.

(iv) To grant any other relief(s) which the petitioner may be found entitled to get in the eye of law.”

3. At the very outset, Learned counsel for the respondents contended that since this matter is squarely covered under the order dated 19.03.2024 passed in **CWJC No. 8470 of 2022 (Nizamuddin Ansari Vs. The Bihar State Power Holding**



Company Limited & Ors.) by this Court in which this Court has passed the order in light of the judgment passed by the Hon'ble Apex Court in the case of **Chairman Grid Corporation of Orrisa Ltd. & Ors. Vs. Sukmani Das & Anr** reported in **(1999) 7 SCC 298**, 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 file appropriate application for compensation before the appropriate authority.

5. 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 passed in **CWJC No. 8470 of 2022 (supra)** with liberty to the petitioner to seek necessary compensation by approaching the concerned Civil Court and in case, any such petition is filed within a period of four weeks from the date of receipt of copy of this order, the same shall be examined and considered on merits by the



appropriate court and shall be disposed of expeditiously.

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

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

(G. Anupama Chakravarthy, J)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	30.08.2025
Transmission Date	N/A

