

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15585 of 2017

Uma Shankar Prasad Singh Son of late Natho Singh, Resident of Village-Sakarwa Tola, Ward No. 15, P.S.-Mokama, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary, Urban Department, Bihar, Patna
2. Secretary Bihar State Power Holding Company, Patna-800001.
3. Managing Director, South Electric Bihar Electric Supply, Area, Vidyut Bhawan, Bailey Road, Patna.
4. Electrical Superintending Engineer, Electricity Anchal, R. Block Patna.
5. Executive Electric Junior Engineer Electric Supply Division, Barh, Patna.
6. Assistant Electric Junior Engineer Sub-Divisional Electric Supply, Mokama, Patna.
7. Special Officer Nagar Parishad Mokama Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Respondent/s : Mr. Abbas Haider -SC 6

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 20-06-2025

1. Heard the Learned counsel for the parties.

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

“That this writ application is for issuance of a writ of Mandamus or any other appropriate writ/writs or order/ orders or direction commanding respondent no. 1 to 6 to shift / remove the electric pole from on the house hold



*land of the petitioner Sakarwar Tola
Ward no. 15 in Mokama. "*

3. A counter affidavit was filed on behalf of respondent Nos. 3 to 6. In paragraph 7 of the said affidavit, it is stated that, upon inspection of the site and inquiry from local residents, it was found that the electric pole is situated on a government road and not on the private plot of the petitioner. It is further stated that the certificate issued by the Special Officer, Mokama Nagar Parishad, dated 06.11.1995, does not mention that the said electric pole is located on the private plot of the petitioner.

4. However, a rejoinder to the said counter affidavit was filed on behalf of the petitioner. In response to paragraph 7 of the counter affidavit, it is submitted that the contentions made therein are completely false and fabricated. The true fact is that the land in question belongs to the petitioner, whose name is recorded in the khatian, the rent receipts, and the jamabandi.



5. Further, Learned counsel for the respondents contended that since this matter is squarely covered under the order dated 26.06.2024 passed in **CWJC No. 17625 of 2016 (Lalmuni Devi Vs. The State of Bihar & 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 **The Power Grid Corporation of India Limited vs Century Textiles & Industries Ltd & Ors.** reported in **2017(2) PLJR (SC) 152**, this writ petition may also be disposed of on the same terms and conditions.

6. After perusal of the aforesaid judgment, the Learned counsel for the petitioner seeks liberty to file appropriate application for redressal of his grievance before the appropriate authority.

7. 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.**



17625 of 2016 (supra) in light of the judgment passed by the Hon’ble Apex Court in the case of **The Power Grid Corporation of India Limited (supra)** with liberty to the petitioner to approach 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.

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

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

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.06.2025
Transmission Date	

