

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7732 of 2016

Shiv Kumari Devi Wife of late Sukan Pandit resident of Village- Koajpur Basti, PO Pastara, District Samastipur Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The M.D. North Bihar Power Distribution Company Bailey Road, Vidyut Bhawan, Patna.
3. The Electric Inspector North Bihar Power Holding company, Vidyut Bhawan, Bailey Road, Patna.
4. The Electrical Superintendent Engineer, Konhara, Ghat, Road Electricity Boar, Hajipur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar @ Alok Kr Shahi, Adv Ms. Richa Rajiv Singh, Adv
For the Respondent/s	:	Mr. Ajay Kumar Gautam, Adv

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

8 09-07-2025 Heard the parties.

2. The present writ application has been filed for the
grant of following reliefs:

*(i) issuance of writ in the nature of
Mandamus for directing the respondents to
pay compensation of Rs. 3 lakhs for
treatment of Sukan Pandit.*

*(ii) For directing the respondents
to act upon the representation filed by the
petitioner for compensation.*

*(iii) For any other consequential
reliefs for which the petitioners are entitled
during course of hearing of this writ petition*



and in the facts of this case.

3. The issue under consideration is whether this writ is maintainable for grant of compensation in light of the facts and circumstances pleaded in the present writ application? This issue is no longer *res-integra*. In the case of ***Manju Devi Vs. the Principal Secretary, Department of Energy*** in ***CWJC No. 8753 of 2021***, a co-ordinate Bench of this Court vide order dated 10.07.2024 has held and decided that the matter relating to grant of compensation can only be decided by appropriate forum/Civil Court and for that a writ application would not be maintainable. In another case of ***Ravi Kumar @ Abhinandan Kumar Vs. the Chairman, Bihar Electricity Board and Ors*** in ***CWJC No. 5182 of 2016***, this Court vide order dated 19.06.2025 has again reiterated that the matter relating to payment of compensation has to be agitated before Civil Court. In another case of ***Rinku Devi Vs. the State of Bihar & Ors*** rendered in ***CWJC No. 19247 of 2016*** also, this Court vide judgment and order dated 12.11.2024 has clearly held and observed that the matter relating to compensation can only be agitated before the Civil Court.

4. In view of the above settled position of law, learned counsel for the petitioner prays for withdrawing the present writ application with liberty to pursue his remedy before the appropriate Civil Court.



5. To this prayer being made by the learned counsel for the petitioner, learned counsel for the Electricity Board has no objection.

6. Considering the nature of prayer being made by learned counsel for the petitioner, this writ application is accordingly disposed of granting liberty to the petitioner to pursue his remedy before the competent Civil Court. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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