

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.837 of 2017

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Md. Anzar Alam Son of Late Faizal Karim, Resident of village Rahimpur Rudauli, Post Office - Harpur Alauth, Police Station – Samastipur (Muffasil), District - Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Samastipur
2. The District Magistrate, Samastipur.
3. Bihar State Electricity Board through its Chairman, Bidyut Bhawan, Patna.
4. The General Manager cum Chief Engineer, Bihar Electricity Board, Darbhanga Region, Darbhanga.
5. North Bihar Power Distribution Company Limited, Mithila Electric Supply Range, Darbhanga through it
6. The Electric Executive Engineer, Electric Supply Circle, Samastipur.
7. The Electric Executive Engineer Electric Project, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan, Advocate
For the Respondent/s : Mr. Kinkar Kumar-SC 9

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT
Date : 10-02-2025

1. Heard learned counsel for the parties.
2. The petitioner has filed the Writ petition for the following reliefs:-

“That this Writ Petition is being filed for the issuance of writ/ Writs, direction/directions, Order/ Orders, Command/Commands and for the issuance of writ in the nature of prohibition restraining the Respondent Electric Executive



Engineer Project Respondent no. 7 for stretching 33 KV over head high Tension line as well as affixing of tower in the petitioner's land situated and surrounded in Residential area of Rahimpur Rudauli Village in apprehension of danger, the aforesaid overhead line will be generated / supplied from Mohanpur Electric Grid to Karpurigram Electric Sub-grid passing through dense populated residential area where an alternative public land is available for the purpose, petitioner further prays for a direction to the Respondent no. 7 to utilize the flank of public brick soling Road starting from the edge of Mushari Garari National Highway in front of Mohanpur Grid station and passing from circumstances of petitioner's village and ending to Karpurigram, petitioner further prays for restraining the Respondents Electricity Department Authorities not to proceed with the project during pendency of the writ petition and the Petitioner further prays for grant of any other relief/reliefs for which the petitioner found entitled in the facts



and circumstances of this case be also given.”

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 in which this Court has passed the order in light of a judgment passed by the Hon'ble Apex Court in the case of **Power Grid Corporation of India Ltd. Versus Century Textiles & Industries Limited & Ors.** reported in **(2017) 5 SCC 143 : 2017(2) PLJR (SC) 152**, 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.

5. Having regard to the submissions made by the learned counsel for the parties, the Writ petition stands disposed of in terms of the aforesaid judgment passed in **CWJC No. 17834**



of 2016 (supra) and also with liberty to the petitioners 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.

6. With the aforesaid directions, the Writ petition stands disposed of.

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

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.02.2025
Transmission Date	

