

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10497 of 2017

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Jairam Rajak Son of Sri Janki Ram R/o Village- Rupaich, Post- Usari, P.S.
Mehandiya, District -Arwal.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary, Energy Department, Bihar, Patna.
2. The Principal Secretary, Government of Bihar, Patna.
3. The Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
4. The District Magistrate, Patna.
5. The Sub-Divisional Officer, Danapur, Patna.
6. The Deputy Collector, Land Reforms Danapur, Patna.
7. The Circle Officer, Danapur, Patna.
8. The Superintendent Engineer PESU0, Electric Supply Circle, Maignas Road, Patna-15
9. The Officer-In-Charge, the South Bihar Power Distribution Com. Ltd. Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Mahendra Prasad Verma
For the Respondent/s	:	Mr. Anand Kr. Ojha, Sr. Advocate
	:	Mr. Abhishek Raj, Advocate
	:	Mr. Shankar Kumar, Advocate
	:	Mr. Ashok Kr. Karna, Advocate
	:	Mr.Kinkar Kumar-Sc9

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

3 16-06-2025 1. Heard the Learned counsel for the

petitioner as well as the Learned counsel for the

respondents.

2. The Writ petition is filed to direct the

respondents to quash the resolution/decision no.



35, taken alongwith other decisions in the meeting of Council of Ministers dated 16.06.2016, Thursday, 04:00PM by the chairmanship of Hon'ble Chief Minister, Bihar illegally and hastily against the eye of justice by which the transfer the Gairmajarua Aam land about 0.2967 acre vide Khata No. 281, Khesra/Plot No. 707 and 708 adjacent land of the petitioner for construction of 33/11 KV Electricity Power Sub-station near Radiant International School, Danapur, Patna District against eye of justice. Further to direct the respondents to stop the construction of 33/11 KV Electric Power Sub-station by dangerous wire against the rule of electric works on Gairmajarua Aam land and adjacent land of the petitioner which is used only for Aam public rasta including the petitioner.

3. A detailed counter affidavit was also



filed by the respondent no. 8 contending that the plant/land for construction of the work is permanently transferred to the SBPDCL in the light of the decision No. 35 passed by the cabinet meeting of ministers dated 16.06.2016 under the Chairmanship of Hon'ble chief Minister. Pursuant to it, the Collector, Patna, the SBPDCL was intimated about the decision and they were asked to deposit Rs. 3,15,42,925/- to the Collector, Patna for the transfer of the aforesaid land and the same was deposited to the office account of Collector, Patna vide Cheque No. 019195 dated 23.12.2016 and acknowledgment of the same was also given by the Collector vide Memo No. 20 dated 11.01.2017. The counter affidavit also disclose that the construction work was in progress in the year 2017 itself.

4. The Learned counsel for the respondents



further contended that the petitioner's fundamental right were nowhere violated or infringed, therefore, prayed to dismiss the Writ petition.

5. On perusal of the entire Writ petition and counter affidavit, it appears that the fundamental rights of the petitioner is not violated. If at all there is any dispute between the parties, the petitioner is at liberty to approach the appropriate forum. Nothing remains in the Writ petition for adjudication.

6. The Writ petition is dismissed as it is devoid of merits.

(G. Anupama Chakravarthy, J)

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