

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6987 of 2018

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Jawahar Sah Son of Late Shankar Sah, Resident of Village-Chota Bariyarpur,
P.S.-Chatauni, District-East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through Collector, East Champaran, Motihari
2. Executive Engineer, Bihar, State Power Transmission Grid, Electricity Department, Sub-Division, Motihari, East Champaran
3. Assistant Engineer, Bihar State Power Transmission, Sub-Division, Motihari, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate
For the Respondent/s : Ms. M.Ambasta, AC to GP 1

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**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY**

ORAL ORDER

2 26-06-2025 1. Heard the Learned counsel for the parties.

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

“(i) To restrain the respondents not to forcibly occupied the land of the petitioner for installation of tower of transmission of electric line 132/33 K.V. Power grid sub-station from Motihari to Areraj on the land of the petitioner bearing Khata No. 376, Khesra No. 18/2, Area 7.3½ dhurs located at Village Majuraha, Turkauliya, East Champaran and not to construct the



foundation of tower no. 5 over the land in question, without any notice or any information to the petitioner which is not permissible in the eye of law.

(ii) To restrain the respondents not to install tower over the land without payment of compensation as per valuation of the cost of land is Rs. 1 lacs per decimals provided under the Electricity Act, 2003 under which there is provision of compensation to the land owner.

(iii) To direct the respondent Collector to consider / disposed of the representation dated 25.04.2016 filed by the son of the petitioner against action of Electricity Department, who forcibly occupied the land without payment of compensation.

(iv) To any other relief / petitioner is entitled too."

3. At the very outset, 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.

4. After perusal of the aforesaid judgment, the Learned counsel for the petitioner seeks liberty to file appropriate application for compensation before the appropriate forum.

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. 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 seek necessary compensation by approaching the concerned District Judge 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 forum 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)

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