

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10149 of 2024

Prakash Chandra Prakash S/O Late Mod Narayan Jha R/O Village- Sohrai,
P.S.- Sakari, District Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Energy, Bihar, Patna
2. The Secretary, Bihar State Electricity Board, Bihar, Patna
3. The Executive Engineer, Power Grid Corporation, Madhubani, Bihar.
4. The Executive Engineer, Electricity Department, Madhubani, Bihar
5. The Electrical Executive Engineer, Transmission Division, 1320/33 KB Grid Sub-Station, Ram Nagar, Madhubani, Bihar
6. The Electrical Executive Engineer, Electric Supply Division, Madhubani.
7. The Assistant Electrical Engineer, Supply Division, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bimal Kumar, Adv.
For BSPTCL	:	Mr. Ritesh Kumar, Adv.
For the Respondent/s	:	Mr. Standing Counsel (5)
	:	Mr. Kumar Pankaj, AC to SC5

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

3 02-09-2025 The present writ petition has been filed for the
following relief(s):-

“I. For the Issuance of writ of mandamus and any other appropriate writ/writs, order/orders, direction/directions to the respondent's authority to pay the Compensation amounting to Rs. 40 lakhs in lieu of the land bearing under Mauza-Mohiuddingpur, Thana- 91, Tauzi No.- 6424, Khata No.- 31/21, 45, 1, 31, 91, 68, 45, 39, Khesra No. 171, 151, 151, 440, 113, 114, 450, 1228, 157, 971, 160 area 3 Bigha which is personal and ancestral of the Petitioner land, upon which the Electricity Department has erected/installed Electric Transmission Tower and 132000 Volt wire upon his agriculture land without any previous notice or consent.



II. For issuance of appropriate direction to the respondent's authority to calculate and pay the agreed amount of compensation to the tune of Rs. 40 lacs for grabbing the land as mentioned 3 bigha agricultural land as mentioned in Sub-Para-I, due to which, around 3 bigha's of agricultural land became infertile and there is no longer suitable for agriculture or residential use as well as there is a danger to life and property to the petitioner.

III. For the issuance of appropriate direction/directions to the respondent's authority to calculate the compensation in lieu of the land acquired by the Electricity Department with adequate interest @ 12% from the date of acquiring or usurping the land of the petitioner.

IV. To, pass any appropriate order/orders as your lordship may deem fit and proper in the larger interest of natural justice.”

2. It is the claim of the petitioner that he has not been adequately compensated for the installation of the transmission power lines by the respondent-Corporation in his land.

3. The Hon’ble Supreme Court in the case of ***The Power Grid Corporation of India Limited Vs. Century Textiles & Industries Limited & Ors.*** reported in ***2017 2 PLJR 152*** has held as under;

“We make it clear that if the writ petitioner feels that it is entitled to any compensation, the appropriate course of action is to file a suit before the concerned District Judge for this purpose. It would also be apt to point out at this stage that the Central Government has framed guidelines dated October 15, 2015 in this behalf which inter alia provide that the issue of compensation may be resolved having regard to the mode and manner of assessment of compensation as per the said guidelines. Therefore, it would always be open to the writ petitioner to avail the remedy as per the said guidelines.”



4. Having regard to the above, the present writ petition is disposed of granting liberty to the petitioner to avail the remedies as available to him under the law.

(A. Abhishek Reddy, J)

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