

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18051 of 2021

Sri Purnima Devi Goushala, Sonaili, Kadwa, Katihar through its Secretary Lilanand Poddar, aged about 69 years (Male), son of Late Balgovind Poddar, Resident of Village-Kantiya Sonaili, Post Office-Sonaili, Police Station-Kadwa, District-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Energy (Electricity), Government of Bihar, Patna.
2. The Deputy Secretary, Energy (Electricity) Department, Government of Bihar, Patna.
3. The Chief Engineer (Civil) North Bihar Power Distribution Corporation Limited, Patna.
4. The Executive Engineer (Civil) North Bihar Power Distribution Corporation Limited, Purnea Division, Purnea.
5. The Assistant Engineer (Civil) Civil Division North Bihar Power Distribution Corporation Limited, Katihar.
6. The Junior Engineer (Civil) Electricity Department, North Bihar Power Distribution Corporation Limited, Barsoi, Katihar.
7. The Circle Officer, Prakhand-Kadwa, District-Katihar.
8. The Contractor, M/S Guddu Kumar, resident of Mohalla-Vikash Colony, Sandalpur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jibendra Mishra, Advocate
For the State	:	Mr. Yogendra Pd. Sinha (AAG-7)
For the NBPDC	:	Mr. Kumar Priya Ranjan, Addl. SC
		Mr. Sudarshan Bhardwaj, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 18-11-2025 The instant writ petition has been filed by the petitioner under Article 226 of the Constitution of India seeking the following relief(s):-

“ I) For directing the respondent authorities to restore the peaceful possession of the petitioner over his raiyati land in question which has illegally been encroached by the Electricity



Department, Government of Bihar.

II) For giving further direction to the respondent authorities for removal of the illegal construction of boundary wall over the raiyati lands of the petitioner unauthorisedly by the order of Electricity Department, Government of Bihar.

III) For directing the respondent authorities to take appropriate punitive action against those departmental authorities who found to be responsible for the unauthorised constructions made over the lands of the petitioner also by granting payment of compensation to the loss incurred to the petitioner.

IV) For any other relief or reliefs for which the petitioner may be found entitled in the facts and circumstances of the case.”

2. Mr. Jibendra Mishra, learned counsel appearing on behalf of the petitioner, Mr. Kumar Priya Ranjan, learned Addl. SC appearing on behalf of North Bihar Power Distribution Company Limited, Patna (in short ‘NBPDC’), and Mr. Yogendra Pd. Sinha, learned AAG-7 for the State, are present and they are heard.

3. The main grievance raised by the petitioner in this writ petition is that an encroachment has allegedly been done by the Electricity Department, Government of Bihar, over the land belonging to Sri Purnima Devi Goushala, Sonaili, Kadwa, in Katihar District.



4. Mr. Kumar Priya Ranjan, learned counsel appearing for respondent nos. 3 to 6, submits that the Power Sub-Station at Sonaili, Kadwa, in Katihar District has been in operation for more than 40 years, and it is situated on land measuring three acres. He further submits that the main issue related to the petitioner's grievance is only the need of demarcation of the entire land which is said to be under the possession of the Electricity Department on which the reconstruction of the boundary wall is being carried out. In this regard, a letter has been sent to the District Magistrate, Katihar by way of Annexure-R-6/D. The respondents are ready to vacate the land in question if, after demarcation, the same is found to be in the illegal possession of the Power Sub-Station, and are also ready to get the land in question demarcated in the presence of the petitioner in the light of Annexure-R-6/D, upon which necessary steps are to be taken by the District Magistrate, Katihar.

5. Considering the aforesaid submissions and having gone through the averments made in the counter affidavit, the District Magistrate, Katihar, is directed to expedite the matter pertaining to letter No. 416 dated 31.10.2025, sent by the respondent NBPDC, Patna, for demarcation of the land in question within the next four weeks from the date of receipt of a



copy of this order. The demarcation of the said land must be done in the presence of both parties, for which respondent nos. 3 to 6 have no objection.

6. Accordingly, with the above direction the instant writ petition stands disposed of.

(Shailendra Singh, J)

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