

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15894 of 2019

=====

Shaikh Afroj Son of Late Shaikh Rajjak, Resident of 49 Tiljala Misjid Bari Lane, Kolkata at Present resident of Village-Chand Mohan, P.S.-Kundwa Chainpur, District-East Champaran.

... .. Petitioner/s

Versus

1. The Chief Managing Director, Bihar State Power Holding Company Ltd. Vidhut Bhawan, Baily Road, Patna, Bihar.
2. The Managing Director, Bihar State Power Transmission Company Ltd. Vidhut Bhawan, Baily Road, Patna, Bihar.
3. The Chief Engineer, North Bihar Power Transmission Company Ltd., Motihari, East Champaran.
4. The Executive Engineer, North Bihar State Power Transmission Company Ltd., Motihari, East Champaran.
5. The Assistant Engineer, North Bihar State Power Transmission Company Ltd., Dhaka, East Champaran.
6. The Junior Engineer, North Bihar State Power Transmission Company Ltd., Dhaka, East Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Respondent/s : Mr. Vinay Kirti Singh, Sr. Advocate

=====

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 10-07-2025

1. Heard the Learned counsel for the parties.

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

“..... to remove the high voltage electric pole as well as the high voltage electric wire hang on the pole which has been construct/install over the land of the petitioner situated under Mauza Raksa Rahimpur, Khata No. 72, Plot No. 44, Area 1-



10-8 (One Bigha Eight Kattha Aath Dhur), Khata No. 67, Plot No. 42 Area 3 kattha 5 Dhur, and Khata No. 76, Plot No. 58, Area 3 Bigha 13 Kattha 9 Dhur contrary to the guide line as well as policy decision of the Government of Bihar as well as respondents department. The land has not been acquired before the installation of the Electric Pole as well as other formalities has not been done by the respondents.

ii) For issuance of a writ in the nature of Mandamus directing and commanding to the respondents to compensate the petitioner suitably because from the wrong act of respondents the petitioner has suffered loss and damages by installing the high voltage electric pole on which high voltage electric wire has also been hang through over the land of the petitioner in which the factory namely Sikrahana Polymer Industries has been situated and the work of industries is going on such as the boundary wall etc. has been completed. But the high voltage electric pole has been install on which high voltage electric wire has been hang over the mid of the industries which cause damages and irreparable loss to the petitioner and the same is contrary to the guide line as well as policy decision of the Government of Bihar.

iii) To grant any other relief or



reliefs for which the petitioner is entitled from the facts and circumstances of the case.”

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)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.07.2025
Transmission Date	

