

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2983 of 2024

In
Civil Writ Jurisdiction Case No.18684 of 2021

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Binod Sah son of Late Rajeshwar Lal, resident of Village-Mohammadpur
Lalse, P.S. Sakara, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The Managing Director, Mr. Aditya Prakash Transmission Company Ltd.
North Bihar Power Holding Distribution Company Pvt. Ltd. Vidyut Bhawan
I, Bailey Road, Patna.
2. The Chief Engineer Mr. Ratan Kumar (Project-1) Bihar State Power
Transmission Company Ltd. Vidyut Bhawan I, Bailey Road, Patna.
3. The District Magistrate Mr. Pranav Kumar, Muzaffarpur.
4. The Senior Superintendent of Police Mr. Rakesh Kumar, Muzaffarpur.
5. Mr. Sanjay Singh, The Deputy Collector, Land Reforms, Muzaffarpur.
6. The Pan Indian Infra Project Private Limited, 1st Floor, Vikas Tower, Infront
of Druga Mandir (facing Pusa Road), Mali Ghat, B.M.P. 06, District-
Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mani Bhushan Kumar, Advocate
For the Opposite Party Nos. 1 & 2 : Mr. Ritesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

4 07-04-2025 Though this Court vide order dated 22.03.2022

passed in CWJC No. 18684 of 2021 had granted liberty to the

petitioner to file appropriate application/petition before the

concerned District Judge within two weeks of passing of the

said order, which in turn was directed to be decided by the

District Judge within a period of four months thereafter,



however, the learned counsel for the petitioner has miserably failed to show from the records that any application/petition was filed before the Ld. District Judge, Muzaffarpur in terms of the aforesaid order dated 22.03.2022 and instead reference has been made to an execution petition filed by the petitioner bearing Execution Case No. 6 of 2022, which admittedly has not been filed in pursuance to the aforesaid order dated 22.03.2022.

2. Having regard to the facts and circumstances of the case and considering the fact that the petitioner has admittedly not filed any application/petition before the Ld. District Judge, in terms of our order dated 22.03.2022, which ought to have been filed by way of a proper suit, as is the mandate of the Judgment rendered by the Hon'ble Apex Court in the case of ***Power Grid Corporation of India Limited vs. Century Textiles & Industries Limited & Ors.*** reported in ***2017(2) PLJR (SC) 152***, we find that the petitioner has failed to avail the liberty granted by us, hence in absence of any application/suit being filed by the petitioner before the Ld. District Judge, Muzaffarpur in terms of our order dated 22.03.2022, the Ld. District Judge cannot, by any stretch of imagination, be stated to have not complied with our order



dated 22.03.2022, hence we find that no case is made out for initiating contempt proceedings, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

(Shailendra Singh, J)

S.Sb-Annu/-

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