

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.438 of 2025

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Raju Yadav son of Ramanand Yadav, resident of Village-Amwagahat, P.O.-
Bharpurwa, P.S.-Vijaipur, District-Gopalganj.

... .. Petitioner/s

Versus

1. The Bihar State Power (Holding) Company Limited Vidyut Bhawan, Bailey Road, Patna through its Chairman cum Managing Director.
2. The North Bihar Power Distribution Company Limited Vidyut Bhawan, Bailey Road, Patna through its Chairman cum Managing Director.
3. The District Magistrate, Gopalganj.
4. The Sub-Divisional Officer, Hathwa, Gopalganj.
5. The Electrical Executive Engineer, Electric Supply Division, Hathwa, Gopalganj.
6. The Assistant Electrical Engineer, Electric Supply Division, Hathwa, Gopalganj.
7. The Assistant Engineer, Electric Supply Division, Hathwa, Gopalganj.
8. The ABN Tower and Private Limited through its Managing Director, resident of 22, Ashoka Palace, Exhibition Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar Dubey
For the Respondent/s	:	Mr.Government Advocate (9)
For Resp. 1, 2, 5, 6 and 7:	:	Mr. Ritesh Kumar, Adv.

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

6 09-09-2025 Heard learned counsel for the parties.

2. The Hon’ble Supreme Court in **Power Grid Corporation of India Limited vs. Century Textiles & Industries Limited and Others** reported in **2017 (2) PLJR (SC) 152** has held as under:-

“21. Section 10 of the Indian Telegraph Act, 1885 empowers the Telegraph Authority to place and maintain a telegraph line



under, over, along or across and posts in or upon any immovable property. The provision of Section 10 (b) of the Indian Telegraph Act, 1885 makes it abundantly clear that while acquiring the power to lay down telegraph lines, the Central Government does not acquire any right other than that of user in the property. Further Section 10(d) of the Indian Telegraph Act, 1885 obliges the Telegraph Authority to ensure that it causes as little damage as possible and that the Telegraph Authority shall also be obliged to pay full compensation to all person interested for any damage sustained by them by reason of the exercise of those powers.

26) These are sufficient reasons to allow Civil Appeal No. 10951 of 2016 preferred by the Power Grid by setting aside those directions. Ordered accordingly. 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.”

3. Having regard to the above, learned counsel for the



petitioner seeks permission to withdraw the present writ petition with a leave to avail alternate remedy as available under the law.

4. Permission is granted.

5. The writ petition stands disposed of with aforesaid liberty.

(A. Abhishek Reddy , J)

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