

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.511 of 2017

Param Hans Singh Son of Late Gaya Prasad Singh resident of village
Khaoksa Buzurg, P.S. - Desari, District - Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Department of Revenue and Land Reforms Department,
Bihar, Patna.
3. Deputy Secretary, Land Revenue and Reforms Department, Bihar, Patna.
4. The Under Secretary Land Acquisition Directorate, Department of Land
Revenue and Reforms Department
5. Bihar State Power Holding Distribution Co. Ltd. through Chairman, Vidyut
Bhawan, Bailey Road, Patna
6. The District Magistrate, Vaishali at Hajipur, District - Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Durga Nand Jha, Advocate
For the Respondent/s : Mr.Sajid Salim Khan -SC-25

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

9 12-01-2026 Heard the parties.

2. The present petition has been preferred for the
following relief/s:

*(i) issuance of a writ in the nature of
Mandamus directing and commanding the
respondents to pay the adequate amount of
compensation with 100% solarium against
the Land of Petitioner appertaining to Khata
no. 56 (New), Plot No. 442 (New 239 (Old)
measuring an area about 2.75 Katha of*



Mouza Khoksa Buzurg over which high Power electric wire has been passed from a pole on the road to Sub-station without authorization and acquiring the Land of petitioner with a sole motive to facilitate M/s Durga Rice Mill or in alternative to restore the Land of petitioner to its original position and status forth with;

(ii) issuance of an appropriate declaration that the Land of petitioner over which Electric wires have been made to be passed is valued of Rs. 1,32,000-00 per decimal as per market/commercial value of said Land and as is prevailing in said Locality or at least as per the valuation declared by the office of Registration to which petitioner is entitled to along with adequate amount if interest 18% Annum;

(iii) issuance of an appropriate declaration that earlier notification was issued by the Government vide Notification no. 2052 dated 5.12.2011 where under plot no. 435,



436 and 437 were acquired for construction of D.L.A. Vaishali (Power grid) 4/11. Such acquisition was made under section 47/4 which was to affect Durga Rice Mill and there-fore, another Notification was issued vide Notification no. 145/2013-2220 dated 9.9.2013 to facilitate the aforesaid rice mill and Electric wire made passed through the Land of petitioner without acquiring the Land of petitioner and thus the acts of Respondents are arbitrary and mala fide;

(iv) issuance of an appropriate direction to Respondents either to remove the Electric wire from the Land of petitioner or to issue notification to acquire the Land of petitioner, as petitioner is sustaining recurring loss and there by to pay the adequate amount of compensation with applicable solarium to petitioner for the ends of Justice.

(v) any other relief or reliefs be granted to petitioner to which he is found to be entitled.

3. Supplementary counter affidavit has come on



behalf of respondents, according to which, the petitioner ought to have approached the learned District Judge, Vaishali at Hajipur.

4. At this stage, learned counsel for the petitioner submits he shall be taking steps for approaching the District Judge, Vaishali at Hajipur.

5. In case, such petition is preferred in next four weeks, the Court concerned shall take up the matter and considering that it is an old one, shall see to it that the is disposed of at an earliest, preferably within a period of one year.

(Rajiv Roy, J)

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