

(2025) 08 PAT CK 0875

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No.8617 Of 2017

Sunil Kumar Singh

APPELLANT

Vs

State Of Bihar and Ors

RESPONDENT

Date of Decision : 29-08-2025

Acts Referred:

Indian Electricity Act, 2003 — Section 164

Citation : (2025) 08 PAT CK 0875

Hon'ble Judges : G. Anupama Chakravarthy, J

Bench : Single Bench

Advocate : Sanjeev Kumar Mishra, Manini Jaiswal, Manas Rajdeep, Shubham Kumar Upadhyay, Adya Pandey, Khurshid Alam, Ritesh Kumar, Harendra Kumar Tiwary

Final Decision : Disposed Of

Judgement

G. Anupama Chakravarthy, J

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

"(i) For issuance of an appropriate writ in the nature of Certiorari for quashing the order contained in letter no. 183 dated 13.4.2017 issued under the signature of the Respondent Deputy General Manager whereby and where under the Respondent Corporation has communicated the decision of construction of Tower No. 14/3 over the land of the petitioner, in exercising its jurisdiction under Section 164 of Indian Electricity Act, 2003.

(ii) For issuance of an appropriate writ in the nature of mandamus commanding the respondent authorities to pay the compensation for dmge first and only the start construction work over the plot of the petitioner.

(iii) That during the pendency of the Writ Petition an interim order may be passed restraining the Respondent Authorities to construct the tower over the land of the petitioner.

(iv) Any other order or orders as your Lordships may deem fit and proper in the facts and circumstances of the case be granted to the petitioner.”

2. 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.

3. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

4. After perusal of the aforesaid judgment, the Learned counsel for the petitioner seeks liberty to file appropriate application for compensation before the appropriate authority.

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 Civil Court 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 court 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.