

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

WP(C)No.21 of 2023

RK Rajen Singh, aged about 67 years, S/o (L) RK Thombonsana Singh of
Singjamei Chirom Leikai PO & PS Singjamei, Imphal West District, Manipur.

...Petitioner

– Versus –

1. The State of Manipur represented by the Principal Secretary/Commissioner/Secretary (Power), Government of Manipur office at Secretariat South Block, Babupara, PO & PS Imphal, Imphal West District, Manipur-795001.
2. The Managing Director, Manipur State Power Distribution Company Limited (MSPDCL), Office at 1st Floor Secured Office Complex, AT Line North AOC, PO Imphal & PS City Police Station, Imphal West District, Manipur-795001.
3. The Executive Director(Legal), Manipur State Power Distribution Company Limited (MSPDCL), Office at 1st floor Secured Office Complex, AT Line North AOC, PO Imphal & PS City Police Station, Imphal West District, Manipur-795001.

.... Respondents.

BEFORE

HON'BLE THE ACTIING CHIEF JUSTICE MR. M.V. MURALIDARAN

For the Petitioner : Mr. M. Hemchandra, Sr. Adv.

For the Respondents : Mrs. CH. Sundari.

Date of reserved. : 19.01.2023

Date of Judgment & Order : 13.03.2023.

JUDGMENT & ORDER
(CAV)

The petitioner has filed this writ petition seeking issuance of a writ of mandamus/certiorari directing the respondents to release/pay the undisputed bill amounting to a sum of Rs.6,16,007/- for repairing of transfer and petty materials and expenditure for electrification of 10th General Assembly Election, 2012 amounting to a sum of Rs.2,42,930/- along with interest payable on the present date, which is not less than 8% per annum.

2. It is the case of the petitioner that he had submitted an application on 7.9.2015 to the Managing Director, MSPDCL, Imphal, requesting payment of permanent impress and reimbursement bill amounting to Rs.6,16,007/- and expenditure for electrification of 10th General Assembly Election, 2012 at Nambol. Pursuant to the said application, the Managing Director, MSPDCL, vide

order dated 16.1.2016, constituted a Committee to examine the genuineness of the claims made by the petitioner. The said Committee rejected the claim made by the petitioner vide letter dated 24.8.2016.

3. It is stated that the petitioner, thereafter, submitted a letter dated 5.9.2016 to the respondent authorities to return the original bills/vouchers to enable him verify them in public interest. Pending consideration of the request of the petitioner, the Deputy General Manager, MSPDCL, vide letter dated 30.10.2017, authorized the petitioner to do the needful regarding the reimbursement for electrification of 10th General Assembly Election, 2012 and hiring DG sets and other expenses in connection with conduct of General Election, 2012. Subsequently, the Executive Director (Legal), MSPDCL, returned the original bills/vouchers to the petitioner vide letter dated 23.1.2018 recording therein that the claim of the petitioner has already been rejected as the works for which the claim has been made is without administrative approval.

4. It is the case of the petitioner that subsequent to the return of the original bills/vouchers, the same has been duly verified by the authority and the same are fit for processing for permanent impress and reimbursement amounting to a sum of Rs.6,16,007/- for repairing of transformer and petty materials and expenditure for electrification of 10th General Assembly Election, 2012 amounting to a sum of Rs.2,42,930/-, however the same has not been processed as yet.

5. In this backdrop, the petitioner has filed this writ petition for the relief stated supra.

6. Heard Mr.Juno Rahman, learned counsel appearing for the petitioner and Mrs. CH. Sundari, learned GA for the State respondents and perused the documents available on record.

7. A bare perusal of the documents filed in support of the writ petition shows that the sole ground for rejection of the claim of the petitioner is that the works were executed without the administrative approval of the authorities concerned and the same have not been duly verified by the authority concerned.

8. It is beyond any demur that the Deputy General Manager, Bishnupur Division, MSPDCL, vide authorisation Letter No.1/61/DGM-BD/2016-2017, dated 30.10.2017, had authorised the petitioner to do the needful regarding the reimbursement for electrification of 10th General Assembly Election, 2012 and hiring DG Sets and other expenses in connection with conduct of General Election, 2012 while the petitioner was in service. A copy of the said letter was also addressed to the General Manager-II. Therefore, the entire claim of the petitioner cannot be rejected out of hand by the respondent authorities on the ground that it is without administrative approval.

9. Considering the overall conspectus of the matter and the fact that the bills pertain to the works executed in the year 2012, to give a quietus to the matter, we dispose of the writ petition by directing the petitioner to give a fresh representation to the respondent authorities within two weeks from the date of receipt of a copy of this order, enclosing all relevant documents, including bills and vouchers and the authorization letter of the Deputy General Manager, Bishnupur Division, MSPDCL, dated 30.10.2017, and on receipt of the same, the respondent authorities are directed to consider the same and pass appropriate orders to release the undisputed claim made by the petitioner within two weeks thereafter. The respondent authorities while considering the claim of the petitioner shall keep in mind the authorisation letter of the Deputy General Manager, Bishnupur Division, MSPDCL, dated 30.10.2017.

There will be no order as to costs.

ACTING CHIEF JUSTICE

FR/NFR

John Kom