

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3162 of 2015

Vaishali Nutrition & Cold Storage Private Limited Nawa Nagar, Post- Biddupur,
District - Vaishali through its Director Mannu Kumar Singh, Son of Shri Parmod
Singh, Resident of Village - Chandpur Nanhkar, P.S. - Desari, District -Vaishali

.... Petitioner

Versus

1. The North Bihar Power Distribution Company Limited through its Managing
Director, Muzaffarpur
2. The Superintending Engineer, Electric Supply Circle, Muzaffarpur.
3. The Revenue Officer, Electric Supply Circle, Muzaffarpur.
4. The Certificate Officer, Vaishali at Hajipur.
5. The Electrical Executive Engineer, North Bihar Power Distribution Company
Limited Hajipur Supply Division District - Vaishali.
6. The Assistant Electrical Engineer Electric Supply Sub Division Bidupur District-
Vaishali.
7. M/s Kissan Cold Store through its Proprietor Shri Birendra Prasad Jaiswal.

.... Respondents

Appearance :

For the Petitioner : M/s. Gopal Shankar and
Anirudh Kumar Sinha, Advocates

For the Respondent
N.B.P.Distribution Company : Mr. Vinay Kirti Singh, Addl. Standing Counsel

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 11-03-2015

Learned counsel for the petitioner is permitted to make
necessary correction in the cause title by deleting respondent nos.1
and 2 and in their place impleading the North Bihar Power
Distribution Company Limited through its Managing Director,
Muzaffarpur in course of the day.

Heard learned counsel for the petitioner and the State.

This writ application has been filed by the petitioner for
a direction to the respondents to give fresh electric connection in the

premises purchased by the petitioner from respondent no.8 in the year 2010.

Mr. Vinay Kirti Singh, learned counsel appearing for the Power Distribution Company submits that there is every likelihood of concluding the certificate case and as per law, till the dues are cleared, fresh connection cannot be given to the petitioner.

On such issue being raised by the respondents, learned counsel for the petitioner submits that the petitioner is ready to pay the due amount disclosed in Annexure-8 which is a letter dated 15.01.2015 written by the Assistant Electrical Engineer, Supply Sub Division, Bidupur addressed to the Electrical Executive Engineer, Electrical Division, Hajipur disclosing that a certificate is for an amount of Rs.4,65,836/-. The petitioner is ready to pay such amount so that fresh electric connection could be given in his premises. Learned counsel submits that the petitioner has filed intervention application in the concerned Certificate Case No.1 of 2004-05 and would contest it along with his vendor. He further submits that if some interest has already accrued against such amount then after contest the petitioner would have option to pay such amount also if it is found payable by the Certificate Officer.

In the aforesaid background, this writ application is being disposed of granting liberty to the petitioner to pay the aforesaid

amount of Rs.4,65,836/- within a period of one month.

Upon such payment having been made by the petitioner, let the respondents take immediate steps for grant of electric connection on the basis of terms and conditions or agreement which is to be made between the parties concerned.

It is further made clear that the payment as aforesaid would be for getting the electricity connection only. Final amount, that is required to be paid, would have to be finally decided in the certificate case concerned.

(Dr. Ravi Ranjan, J)

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