

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5916 of 2015

=====

1. Satish Kumar son of Sri Parmeshwar Singh Yadav resident of village Simrahi Bazar, P.O. Simrahi Bazar, Distt. Supaul.

.... Petitioner/s

Versus

1. The North Bihar Power (holding) Distribution Company Ltd. Erst While. The Bihar State Electricity Board, Patna.
2. The General Manager /Chief Engineer, Rural Electrification the Bihar State Electricity Board Patna Now. at Present North Bihar Power Distribution Company Ltd.
3. The Electrical Superintending Engineer Saharsa, Electrical Supply Circle Saharsa.
4. The Executive Engineer Electric Supply Division Supaul Circle Saharsa.
5. The Assistant Electrical Engineer Electrical Supply Sub Division Birpur, Electric Division Supaul.
6. The Junior Electrical Engineer Electrical Supply Section Raghapur Birpur, Electric Division Supaul.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Suresh Kumar Ishwar, Advocate

For the Respondent/s : Mr. Anand Kumar Ojha, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 14-08-2015 At one time, the Bihar State Electricity Board (hereinafter referred to as “the Board”) outsourced the work of meter-reading and the petitioner along with others were given franchise on payment of some commission for recording the meter-reading and collecting electric bills and depositing the same along with other ancillary works.

2. The petitioner was appointed as franchise cluster DTS Feeder of Karjan Feeder Raghapur, Supaul for the period from July, 2007 to January, 2011.



3. After completion of work, the petitioner submitted his bills/claims of Rs.9,87,177.95/- as commission payable by the Board for the period from July, 2007 to January, 2011. The bills were endorsed by the Electrical Executive Engineer, Electric Supply Sub-Division, Supaul Circle, Saharsa. According to the petitioner, the respondent No.4 forwarded his bills amounting to Rs.9,87,177.95 to respondent No.3 for payment. As the bills has not been paid, the petitioner prays for payment of the same.

4. Mr. Anand Kumar Ojha, learned counsel appearing on behalf of the Power Holding Company submits that only such bills which have been found to be correct by the authorities are liable to be paid and the bills which are not found admissible, the petitioner will be duly communicated for his clarification.

5. It appears that in similar circumstances, one Vijay Kumar @ Vijay Kuamr Singh moved this Court in C.W.J.C. No. 17576 of 2012 for payment of the commission amount. The writ application was disposed of on 19.09.2012 with a direction to the respondents to pay the admissible amount of bills within a period of three months from the date of receipt/production of a copy of this order, failing which, the respondent shall be liable to pay an interest on the amount, at the rate of 12% compoundable yearly from the pocket.

6. This writ application is disposed of with a direction to respondent nos. 2 and 3 to ensure the payment of the admissible bills of the petitioner within a period of three months from the date of receipt/production of a copy of this order, failing which, an interest on the amount, at the rate of 12% compoundable six monthly would be paid from their pockets.

7. It goes without saying that the bills, which are not admitted, need not be paid.

8. With the aforesaid observation this application stands disposed of.

(Samarendra Pratap Singh, J)

KHAN/-

U			
---	--	--	--