

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4851 of 2013

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M/S Shakti Computers, a proprietorship from having its place of business Choudharine Mandir, Naya Tola, Technical Chowk, P.S. Kazi Mohammadpur, District Muzaffarpur, through its Proprietor, Santosh Kumar Choudhary, S/o Kailash Choudhary, resident of Mohalla-Choudharine Mandir, Naya Tola, Technical Chowk, P.S. Kazi Mohammadpur, District Muzaffarpur

.... Petitioner.

Versus

1. The Bihar State Power (Holding) Company Limited through its Chairman-Cum-Managing Director, its Office at Vidyut Bhawan, Bailey Road, Patna- 1
2. The General Manager-Cum-Chief Engineer, Tirhut Electric Supply North Bihar Power Distribution Company Limited
3. The Chief Engineer (Commercial), the Bihar State Power (Holding) Company Limited, its Office at Vidyut Bhawan, Bailey Road, Patna- 1
4. The Electrical Superintending Engineer, Muzaffarpur Circle, the North Bihar Power Distribution Company Limited
5. The Electrical Executive Engineer, the North Bihar Power Distribution Company Limited
6. The Assistant Electrical Executive Engineer, the North Bihar Power Distribution Company Limited
7. The Junior Electrical Engineer, the North Bihar Power Distribution Company Limited
8. The Branch Manager, Oriental Bank of Commerce, Rajendra Chowk, Hajipur, District- Vaishali

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Suraj Samdarshi, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

6 28-08-2015 Heard learned counsel for the petitioner and the respondents.

2. The petitioner is a Proprietorship firm and was awarded the job for installation/replacement of single phase and three phase meters in the premises of unmetered consumers as

well as in the premises of consumers having with defective/burnt meters within Electric Supply Circle, Samastipur, Muzaffarpur and Chapra. A copy of the agreement is annexed as Annexure-3.

3. It is the case of the petitioner that he installed the meters in the premises of unmetered consumers and also changed the defective/burnt meters to the satisfaction of the authorities as per work order. However, the respondent authorities have not made payment of the bills.

4. A counter affidavit has been filed on behalf of Power (Holding) Company. They have pointed out that a number of deficiencies in carrying out the work order. The stand of the Company is that the petitioner has not achieved the target within time specified. The meters installed are substandard. Burnt meters have not been received to the department. The case of the Board is stated in para 20 of the counter affidavit.

5. A supplementary affidavit has been filed on behalf of the petitioner, bringing on record an order dated 30.04.2014 passed by a Bench of this Court in similar case bearing C.W.J.C. No. 1984 of 2014 (M/s Janki Electricals and Construction Vs. The North Bihar Power Distribution Company Ltd. & Others).

6. As the matter involved in this case is substantially common, this writ application is too disposed of in terms of the

aforesaid order, without being prejudiced to either side.

7. The Chief Engineer (Commercial) North Bihar Power Distribution Company Ltd. would consider the matter in accordance with law within a period of two months from the date of receipt/production of a copy of this order after providing an opportunity of hearing to the petitioner.

8. This Court has not expressed any opinion on the merit of the case.

9. This application stands disposed of.

(Samarendra Pratap Singh, J.)

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