

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9103 of 2011

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M/s Boring Materials Supply Agency and Engineering Works, A Proprietary Firm,
through its sole Proprietor Sri Hanuman Mal Sharma Late Panna Lal Sharma, r/o.
City Road, Gulabbagh, P.S. Sadar, Dist. Purnia.

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Energy Department, Govt. of Bihar, Patna.
3. The Bihar State Electricity Board Having its Office at Vidyut Bhawan, Bailey Road, P.S. Kotwali, Town and Dist. Patna.
4. The Chairman, Bihar Electricity Board, Office at Vidyut Bhawan, Bailey Road, P.S. Kotwali, Town and Dist. Patna.
5. The General Manager Cum Chief Engineer, Kosi Area Electricity Board, Saharsa, P.S. Town and Dist. Saharsa.
6. The Electrical Superintending Engineer, Electrical Circle, Purnea, P.S. K. Hat, Dist. Purnia.
7. The Electrical Executive Engineer, Supply Division, Katihar, having his Office in the town of Katihar, P.S. and Dist. Katihar.
8. The Assistant Engineer, Rural Electrical Sub Division, Mirchaibari, Katihar, P.S. Town and Dist. Katihar.
9. The Junior Engineer, Electrical, Rural Electrical Sub Division, Mirchaibari, Katihar, P.S. Town and Dist. Katihar.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. JAGDISH PRASAD BHAGAT, Advocate

For the Respondent/s : GA 9

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-10-2015

Heard learned counsel for the petitioner.

2. The present writ petition has been filed for setting aside the letter No. 2674 dated 28.08.2001, passed by the respondent no. 4 whereby he has rejected the claim of the petitioner and rejected the representation of the petitioner dated

03.03.1998 filed before him in pursuance of the order dated 09.02.1998 in CWJC No. 5912 of 1996, observing that the claims have been raised by the petitioner after a considerable delay of over 6 years and the work done by him in excess of the agreement had not been measured by the then authorities.

3. Without going into the merits of the writ petition, this Court finds that the relief sought is for setting aside the order dated 28.08.2001, whereas the writ petition itself has been filed after an inordinate delay of almost a decade on 18.05.2011 and as such the petitioner is clearly pursuing a stale claim.

4. In the above view of the matter, the writ petition stands dismissed.

(Vikash Jain, J)

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