

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7434 of 1998

1. M.K.Tyres & Cold Retraders (P) Ltd. having its factory at Deedarganj Check Post, PO-Katra Bazar Samittee Via-Begumpur, Patna City-800008, and Reg. Off. at 76 B-1-B Maurya Lok Complex, first Director Mohan Kumar Khandelwal.

2. Mohan Kumar Khandelwal son of Shri Durga Prasad Khandelwal, Managing Director, M.K. Tyres Cold Retreaders P. Ltd., resident of 3/13 S.F.S. Bahadurpur Housing Colony, Kankarbagh, Patna-800020.

.... Petitioner/s

Versus

1. Bihar State Electricity Board through its Chairman, Bailey Road, Patna-1.

2. Chairman, Bihar State Electricity Board, Bailey Road, Patna-1.

3. Secretary, Bihar State Electricity Board, Bailey Road, Patna-1.

4. Director of Accounts (Revenue), Bihar State Electricity Board, Bailey Road, Patna-1.

5. Executive Engineer, Electric Supply Division, Patna

6. Assistant, Electric Engineer, Electric Supply Division, Patna City

7. Junior Engineer, Electric Supply Division, Patna City

8. Accounts Officer (Revenue), Bihar State Electricity Board, Bailey Road, Patna-1.

9. The State of Bihar through the Secretaries, Department of Industry and Energy, Bihar, Patna.

10. Director, Department of Industries, Govt. of Bihar, Patna.

.... Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. Vinay Kirti Singh, (GA-3)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 20-02-2015

No one appears on behalf of petitioners. The counsel for the erstwhile Electricity Board is present.

In this case, petitioners are challenging the order dated 7th July 1998 whereby and whereunder the Director, Accounts has refused to give the relief of exemption of payment of annual minimum guarantee charge holding that new Industrial Policy of 1995 does not cover the case of the petitioners and also directed the Executive

Engineer to hand over the correct bill to the petitioner within two days.

The counsel for the Electricity Board submits that the Industrial Policy of 1995 does not cover the industry of the petitioner and the Director has rightly arrived to a finding cannot be said to be bad, so much so that the correct bill was given to the petitioner and in no way the order of the Director is illegal.

This Court vide order dated 14th December 1998, directed the petitioner to deposit Rs. 1,00,000/- (one lakh) for the purposes of restoration of power connection to his establishment.

This Court is of the view that there is no error in the impugned order as rightly arrived by the Director considering the case of the petitioner. Accordingly, this petition is dismissed.

(Shivaji Pandey, J)

Mahesh/-

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