

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.908 of 2015

=====

Yadupati Singh S/o Late Harijee R/o Harijee Ka Haata, P.S.- Nawada,
District- Bhojpur, Ara

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Energy Department,
Govt. of Bihar, Patna.
2. The Managing Director, South Bihar Power Distribution Company LTD,
Patna.
3. The Superintending Engineer, Electric Supply Circle, Ara.
4. The Executive Engineer, Electric Supply Division, Ara, Dist.- Bhojpur.

.... Respondent/s

=====

Appearance:

For the Petitioner/s : Mr. Ram Yash Singh, Advocate
For the State-Respondent/s : Smt. Binita Singh, GP-31
For the S.B.P.D.C. Ltd : Mr. Vinay Kirti Singh, Advocate
Mr. Akhileshwar Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 30-04-2015 Heard Mr. Ram Yash Singh, learned counsel appearing

for the petitioner and Mr. Vinay Kirti Singh for the respondent

company and learned counsel for the State.

The petitioner prays for a direction to the respondents to
maintain a continuous and interrupted supply of electricity at 400
volts as according to the petitioner due to constant tripping in
power supply the business of the petitioner who is a proprietor of
M/s Sushila Cold Storage Private Limited situated in Gidha
Industrial Area in the district of Bhojpur is suffering heavy losses.
The petitioner is a consumer under the industrial category bearing

Consumer No. KOE 6305 HTS-1. The grievance of the petitioner is that his business which is entirely dependant upon continuous supply of electricity has suffered heavy losses due to power cut and recurrent power interruption.

It is the case of the petitioner that a representation in this regard was filed before the Managing Director, South Bihar Power Distribution Company Limited drawing his attention towards such recurrent power interruption but to no effect and hence this writ petition.

A counter affidavit has been filed on behalf of the respondent company and who have not confronted the grievances raised by the petitioner rather they have accepted in paragraph-4 of the writ petition that efforts are on to maintain a continuous and uninterrupted supply to the effected areas including that of the petitioner.

It is stated in paragraph-4 of the counter affidavit that at present the petitioner is being supplied at 11 KVA from 33/11 KVA Power Sub Station at Koilwar which in turn gets power from the Bihta Grid but a new 33/11 KVA Power Sub Station is being installed at Gidha itself for providing supply to the industrial consumers to their satisfaction. It is submitted that the work has been allotted to M/s Bajaj Electricals and the work is under



progress and would be completed by 30.6.2015. A statement to such effect has been made by the Managing Director himself in paragraph-13 of the counter affidavit. In paragraph-19 of the counter affidavit it is further stated that a separate 33 KV line from Ara Grid for feeding power to this Power Sub Station is under process under BRGF Scheme.

Mr. Singh, learned counsel appearing for the petitioner not being satisfied by the stand of the respondents submits that deposits were insisted by the respondents for improvement in the power supply and which has been deposited by the petitioner and others as back as in 2009 but the benefit yet eludes them. While referring to a chart present at Annexure-3 to the rejoinder it is sought to be canvassed that although statement has been made by the Managing Director that since March 2015, the units like the petitioner are being supplied 18-19 hours but the said stand stands falsified by the chart which shows that even after March, 2015 there have been long hours of power tripping.

Having heard learned counsel for the parties and considering the stand taken by the respondent Managing Director more particularly as made in paragraph-13 of the counter affidavit in which it is stated that work is in progress for feeding continuous power supply to the units and is to be completed by 30th June,

2015, this Court would expect the Managing Director to abide by his statement and let that not end in a completion of formality.

This writ application is disposed of accordingly.

(Jyoti Saran, J)

S.Sb/-

U			
---	--	--	--