

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.218 of 2011

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1. Jaganath Das S/O Late Laxmi Das Resident of Village and P.O. Nonbari, P.S. Kumarkhat, Distt. Madhubani.
 2. Ram Pukar Yadav S/O Late Raghu Nath Yadav Resident Of Village And P.O. Sara Mohanpur, P.S. Darbhanga (Sadar).
 3. Tulsi Das S/O Sita Ram Das At Karhiya, P.O. Balha, P.S. Rajnagar, District Madhubani.
 4. Ram Sarif Tiwari S/O Sri Ganga Prasad Tiwari Resident Of Village + P.O. Thenot, Vha-Baso Patti, District Madhubani.
 5. Ashok Kumar Singh S/O Ram Priti Singh Resident Of Village Saarahe, P.O. Tarapatti, Via-Khaful, District Madhubani.
 6. Manoj Kumar Karna S/O Kailash Prasad Das At & P.O. Darima, Via Keohidanway, District Madhubani.
 7. Pradeep Kr. Jha S/O Pureakha Jha At + P.O. Shiv Nagar, P.S. Benipatti, District Madhubani.
 8. Arun Kumar Chaudhary S/O Sri Jhir Chaudhary Resident Of Village Mukhedampur, P.S. Belaha, P.S. Bisfi, District Madhubani.
 9. Sumangalam Jagriti, Rajnagar, Head Office Village Rajnagar, P.O. Rajnagar, Distt. Madhubani-847235 A Society Registered Under The Societies Registration Act, 1860 Through Its Secretary Shishir Kumar Jha Son Of Prof. Bal Nath Jha Resident Of Rajnagar, Distt. Madhubani.
 10. Manis Kumar S/O Sri Upendra Kumar Raut Resident Of Village Basopatti, Distt. Madhubani.
 11. Raj Kumar Singh S/O Indra Kishore Singh At + P.O. Chachuhara, P.S. Basopatti, Distt. Madhubani.
 12. Suman Kumar Mishra S/O Late Bishanu Kant Mishra Resident Of Village + P.O. Dhanga West, P.O. Arer, Distt. Madhubani.
 13. Om Namo Narayan S/O Sri Ram Lakhan Singh Resident Of Village Ram Chowk Bhaura, Distt. Madhubani.

.... Petitioner/s

Versus

1. The Bihar State Electricity Board through its Chairman, Vidyut Bhawan, Bailey Road, Patna.
2. Member, (Distribution and Rural Electrification), Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna.
3. General Manager Cum Chief Engineer, Mithila Electric Supply Area, Darbhanga.
4. Chief Engineer (Rural Electrification), Vidyut Bhawan, Bailey Road, Patna.
5. The Electrical Superintending Engineer, Electric Supply Circle, Darbhanga.
6. The Assistant Executive Engineer (Technical), Electric Supply Circle, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrigank Mauli
For the Respondent/s : Mr. Anand Kumar Ojha

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 01-05-2015

Heard the parties.

This is, in fact, second round of litigation before this Court at the behest of the petitioners. CWJC No.11517 of 2010 filed earlier on behalf of the petitioners was finally heard and disposed of by a Bench of this Court by an order dated 22.07.2010 (Annexure-15), whereby the matter was relegated to the respondent Chief Engineer (Commercial) of the Bihar State Electricity Board (respondent no.1) for adjudication of the claims raised on behalf of the petitioners.

In compliance of the aforesaid order, the matter was considered and the claims raised on behalf of the petitioners have finally been rejected by the impugned order dated 05.10.2010 communicated vide letter dated 27.10.2010 (Annexure-16) passed by the Chief Engineer (Commercial) of the respondent Board. The respondent Chief Engineer has given cogent reasons for rejecting the claims raised on behalf of the petitioners inasmuch as it has been mentioned that there was no subsisting contract between the petitioners and the respondent Electricity Board during the period for which claims have been raised on behalf of the petitioners.

On going through the records, this Court finds that the petitioners do not have any enforceable legal rights for the period for which claims have been raised on their behalf.

In above view of the matter, this Court does not find any good ground to interfere with the impugned order dated 05.10.2010 communicated vide letter dated 27.10.2010 (Annexure-16). Consequently, the present writ petition has to fail and is, accordingly, dismissed, but there shall be no order as to costs.

The interim order of stay passed on 13.01.2011 by a Bench of this Court stands vacated.

Arvind/-

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(Birendra Prasad Verma, J)