

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7628 of 2011

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M/S Boring Materials Supply Agency & Engineering Works A Proprietary Firm, Throug It Sole Proprietor Sri Hanuman Mal Sharma, S/O Late Panna Lal Sharma, Rr/O Gulabagh, Police Station - Sadar, District - Purnia

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Energy Department of Bihar, Patna
3. The Bihar State Electricity Board, having its office Vidyut Bhawan, Bailey Road, Patna P.S. - Kotwali Towan and Distt. - Patna
4. The Chairman Bihar State Electricity Baord, Vidyut Bhawan, Bailey Road, Police Station - Kotwali, Town And Distt. - Patna
5. The General Manager-Cum-Chief Engineer, Kosi Electrical Supply Area, Saharsa
6. The Electrical Superintending Engineering, Electrical Circle, Purnia, P.S. - K.Hat., Town And Distt. - Katihar
7. The Electrical Executive Engineer, Supply Division, Katihar, P.S. - Katihar having his office in the Town and District - Katihar
8. The Assistant Engineer, Rural Electrical Sub Division, Mirchaibari, Katihar, P.S. - Towan and District – Katihar.
9. The Junior Engineer Electrical, Rural Electrical Sub-Division, Mirchaibari, Katihar, P.S. Town and District-Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Bhagat

For the Respondent/s : Mr. Pankaj Kumar Pankaj, AC to SC-33

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 07-07-2015

Heard the parties.

The matter at issue is the alleged contractual dues of the petitioner against the respondents.

Admittedly for redressal of its grievances, the petitioner approached this Court in CWJC No.5913 of 1996, which was finally disposed of by a Bench of this Court by an order dated 09.02.1998 with a liberty to the petitioner to file a representation for redressal of its valid grievances. In the light of the aforesaid order, the petitioner filed its representation, as contained in

Annexure-8, on 06.04.1998. The representation filed on behalf of the petitioner for payment of its contractual dues was considered and finally rejected by the impugned order/communication dated 28.08.2001 (Annexure-8/1) by the respondent General Manager-cum-Chief Engineer, Koshi Electric Supply Area, Saharsa (respondent no.5). The aforesaid order has been assailed in the present proceeding after more than 11 years when this writ petition was filed on 28.04.2011. No valid explanation has been furnished by the petitioner for approaching this Court after such a long delay of about 11 years.

In above view of the matter, this Court is not inclined to exercise its discretionary powers under Article 226 of the Constitution of India.

The writ petition stands dismissed.

(Birendra Prasad Verma, J)

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