

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1534 of 2014

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1. Yogesh Mahto, son of Sri Kameshwar Mahto.
 2. Haridwar Mahtoson of Late Raja Ram Mahto.
 3. Birendra Kumar, son of Sri Sita Ram Master
 4. Pramod Kumar, son of Sri Bhim Mahto.

All are residents of Village - Kurmine, P.S. Obra and District-
Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Power and Energy, Government of Bihar, Patna.
2. The Chairman, Bihar State Electricity Board, Bihar, Vidyut Bhawan, Bailey Road, Patna.
3. The Executive Engineer, Electric Supply Division, Aurangabad.
4. The Junior Engineer, Electricity Supply Branch, Obra, Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Verma Mr. Vyas Kumar Mishra
For the Respondent-State	:	Mr. Manish Kumar, AC to GP-26
For the SBPDCL	:	Mr. Akhileshwar Singh.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 19-03-2015 Heard the parties.

The petitioner in the present writ petition has prayed for imposition of fine against the respondent authorities of the Distribution Company of involving him in a criminal case.

The facts of the case briefly stated is that following an inspection and finding alleged irregularity that a criminal case was instituted against the petitioner giving rise to Obra P.S. Case No.121 of 2013 registered for the offence punishable under section 135 of the Electricity Act, 2003 (hereinafter referred to as 'the Act').

It is the case of the petitioner that the criminal case has been falsely instituted and which is supported by the submission of the charge-sheet/final form by the police who has found the allegation not correct.

It is not in dispute that following the criminal case the matter now remains pending before the Special Court constituted under 'the Act' for final adjudication.

Whether the charge-sheet is accepted or is rejected or the court below records any other opinion is not for this Court to opine at this juncture and the writ petition is disposed of with the liberty to the petitioner to raise all issues before the Special Court as also to take recourse to such other remedy as is available to him in law for the purpose of payment of compensation.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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