

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3185 of 2013

In

Civil Writ Jurisdiction Case No. 17576 of 2012

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Vijay Kumar @ Vijay Kumar Singh , son of Sri Lal Bahadur Singh, resident of village and P.O- Nariyar, Police Station- Saharsa (Town), District- Saharsa.

.... Petitioner

Versus

1. Sri M.N. Rai, the Chairman, Bihar State Electricity Board, Patna.
2. Shri Birendra Chaudhary, the General Manager- cum- Chief Engineer, Bihar State Electricity Board, Koshi Area, Saharsa.
3. Shri Balram Singh, The Superintending Engineer, Bihar State Electricity Board, Electricity Supply Circle, Saharsa.
4. Shri Manoj Kumar Lal, the Accounts Officer, Bihar State Electricity Board, Electricity Supply Circle, Saharsa.
5. Shri Awinash Kumar, the Assistant Electrical Engineer, Electric Supply Subdivision, Saharsa.
6. Shri Amaranth Gupta, the Junior Electrical Engineer, Electric Supply Section, Saharsa West(Urban).

.... Opp.Parties.

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. Vinay Kirti Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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6 06-01-2015 Heard learned counsel for the petitioner and Sri Vinay Kirti Singh, learned counsel, who has appeared on behalf of officials of Bihar State Electricity Board.

The present petition has been filed with a prayer to initiate contempt proceeding against Opp.Parties on an allegation of wilful disobedience to an order dated 19.09.2012 passed in C.W.J.C.No.17576 of 2012. By the said order, the writ petition was disposed of with a direction to the concerned respondent,

responsible for payment of the amount of bills of the petitioner, to examine his bills and make payment of admissible amount of the bills. It was further directed that in case the respondent finds that the amount of bill or any part thereof is not payable to the petitioner, he shall communicate the same to the petitioner in specific terms assigning reasons thereof.

In this case, show cause and supplementary show cause have been filed on behalf of Opp.Parties, wherein it has been indicated that the case of the petitioner was considered and the same has been rejected vide Annexure-A to the show cause and Annexure-B to the supplementary show cause.

Learned counsel for the petitioner has pointed out that no reason has been assigned, whereas in the writ petition the direction was to assign reasons.

Sri Vinay Kirti Singh, learned counsel for the Bihar State Electricity Board tried to persuade the Court that reason has been assigned in Annexure-A to the show cause, which was filed in the month of November, 2014.

Be that as it may, since in compliance with the order of the writ court, a communication has already been made to the petitioner rejecting his claim, the Court is of the opinion that in the contempt proceeding, correctness of the order may not be

examined. If the petitioner feels aggrieved with the order/s, he would be at liberty to avail appropriate remedy.

With above observation and liberty, the petition stands disposed of.

(Rakesh Kumar, J)

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