

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2412 of 2016

In

Civil Writ Jurisdiction Case No. 3704 of 2013

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Bihar State Electricity Board (now restructured as South Bihar Power Distribution Co. Ltd.) through its Chairman-cum-Managing Director, Vidyut Bhawan, Bailey Road, Patna.

.... Petitioner/s

Versus

1. Most. Shiv Kumaro Kunwar wife of late Satya Narayan Mahto, resident of village- Chandanpura, Police Station- Tilauthu, Dist. Rohtas.
2. The Secretary, the Bihar State Electricity Board, Patna.
3. Superintending Engineer Electricity Department, Rohtas, Sasaram.
4. The Electrical Executive Engineer, Dehri, District-Rohtas.
5. Assistant Electrical Engineer, Dehri, Electric Division, District Rohtas.
6. The Junior Engineer Electricity Department, Tilauthu, Rohtas.

.. ... Opp.Parties.

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with

Miscellaneous Jurisdiction Case No.1925 of 2016

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Most Shiv Kumaro Kunwar wife of late Satya Narayan Mahto, resident of village- Chandanpura, P S- Tilauthu, Dist. Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Electricity board through Mr. P.K. Govil Chief Engineer Operation and Maintenance of South Bihar Power Distribution company (A unit of Bihar State Power Holding Company), Bailey Road, Patna.

.... Opp.Parties.

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Appearance :

(In MJC No.2412 of 2016)

For the Petitioner/s

: Mr. Prakash Kumar

For the Respondent/s

: Mr.

(In MJC No.1925 of 2016)

For the Petitioner/s

: Mr. Jitendra Prasad Singh

For the State

: Mr. Chitranjan Sinha PAAG-2

Smt. Ratna Kumari AC to PAAG-2

For the Electricity Board

: Mr. Prakash Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR

MANDAL

ORAL ORDER

2 07-09-2016

Heard.

The application seeks modification in the order dated

12.01.2016 passed in CWJC No. 3704 of 2013. The contempt application filed by petitioner of CWJC No. 3704 of 2013 vide MJC No. 1925 of 2016 is also placed for consideration.

In the modification application, it is stated that the Hon'ble Court directed the Chief Engineer, Operation and Maintenance of the South Bihar Power Distribution Company to consider the claim of the petitioner for grant of ex-gratia payment as her husband had died due to electrocution. Relying on diverse statements made in the application, it is submitted that the General Manager (HR) of the headquarters of the South Bihar Power Distribution Company is the competent authority to consider such claim and grant the relief, if any. The modification is sought in the operative part of the said order by directing the General Manager (HR) to consider/examine the grievance of the petitioner.

Mr. Jitendra Prasad Singh appearing in support of MJC No. 1925 of 2016 states that whoever be the competent authority, the Court may direct the said competent authority to consider the claim of the petitioner in the light of the order dated 12.1.2016 passed in CWJC No. 3704 of 2013.

Having heard the parties, the modification application

is allowed to the effect that in the operative part of the order dated 12.1.2016 passed in CWJC No. 3704 of 2013, in place of Chief Engineer, Operation and Maintenance of the South Bihar Power Distribution Company, it shall be read as General Manager, (HR) South Bihar Power Distribution Company. In the light of the said order the General Manager (HR), South Bihar Power Distribution Company shall now examine the claim of the petitioner in accordance with law.

MJC No. 2412 of 2016 stands disposed of.

Since I have passed an order in the aforesaid modification application (MJC No. 2412 of 2016) today, the present contempt application (MJC No. 1925 of 2016) has become infructuous in the sense that now the General Manager (HR) of the South Bihar Power Distribution Company is required to examine the claim of the petitioner in the light of the said order.

The contempt petition is also disposed of.

(Kishore Kumar Mandal, J)

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