

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22003 of 2013

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1. Amit Kumar Jha Son Of Sri Ugranath Jha Resident Of Village And Post - Loha, Police Station - Kaluahi, District - Madhubani
 2. Amarnath Sharma Son Of Late Ram Deo Sharma Resident Of Village And Post - Khajpur, Police Station - Babu Barahi, District - Madhubani

.... Petitioner/s

Versus

1. The North Bihar Power Holding Co. Patna through Its Chairman Bailey Road, Bihar, Patna
2. The Director (Revenue) North Bihar Power Holding Company, Bailey Road, Patna
3. The Chief Engineer (Commercial) North Bihar Power Distribution Company Limited Bailey Road, Patna
4. The Electrical Superintending Engineer, Electric Supply Circle, Darbhanga
5. The Electrical Executive Engineer, Electric Supply Division, Madhubani
6. The Assistant Electrical Engineer Electric Sub Division, Jainagar, Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.
Mr. Ratanakar Jha, Adv.

For the Respondent/s : Mrs. Archana Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 29-11-2017

Heard learned counsel for the parties.

In this case, three petitioners were engaged for the purpose of meter reading and bill distribution vide contract agreement dated 7.6.2013, the period was for three years, now the period has already over.

Learned counsel for the petitioners has submitted that the contract, having life of three years, has wrongly been terminated within two months without valid reason, whereas, as per terms of contract, it could be terminated only in case of poor performance but,



the ground for termination is completely silent on this point. He has further submitted that the action of the respondents is completely illegal, not sustainable but, the fact is that already, the period of contract is over, now no relief can be granted to the petitioners. If the petitioners feels that they have wrongly been treated and is entitled for damage, they can approach to the civil court.

If the petitioners file an application for return of the performance security amount, the authority will be obliged to consider and dispose of the same. In the event of adverse order, the petitioners will be also at liberty to approach the appropriate forum.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.12.2017
Transmission Date	NA

