

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19211 of 2015

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M/s Panchdev Cold Storage Pvt. Ltd. through Director Anil Kumar Singh
resident of village - Affaur, Post Office - Nagra, Police Station - Khairah,
District - Saran (Chapra).

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Energy Department,
Government of Bihar, Patna.
2. The Bihar State Power Holding Company Ltd. through its
Chairman/Managing Director, Bihar, Patna.
3. The Chief Manager/General Manager, Power Holding Division, Tirhut,
Muzaffarpur, Bihar.
4. The Electrical Superintending Engineer, Electricity Supply
Division, Chapra (West), Bihar.
5. The Electrical Executive Engineer, Electricity Supply Division, Chapra
(West), Bihar.
6. The Assistant Electrical Engineer, Electric Supply Sub-Division,
Baniyapur District - Saran (Chapra).

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Adv.

For the Respondent/s : Mr. A.K.Ojha, Adv.

Mr. A.K.Karn, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 16-02-2017 Heard Mr. Lakshmindra Kumar Yadav, learned counsel

for the petitioner and Mr. A.K.Karn, AC to Mr. A.K.Ojha

representing the respondents.

The petitioner by way of the writ petition has sought a
direction to the authorities of the Distribution Company to give
continuous supply to the petitioner in terms of the agreement
under HTS-1, which, inter alia, casts an obligation on the
respondent Distribution Company to give continuous supply of
electricity at 200 KVA.



It is the grievance of the petitioner that due to frequent power tripping, his Cold Storage, which is a seasonal business, is not operated to its optimum.

A counter affidavit is being filed on behalf of the respondents and paragraphs 9 and 10 of the counter affidavit reads as under:

"9. That it is stated that after intimation of Consumer about the low voltage the Power Company had isolated some loads of Khaira Feeder and added to Naini Feeder through project agencies VTL under BRGF Phase-II plan.

10. That it is stated that on 22.12.16 the Electrical Executive Engineer Chapra (W) and Technical team of NBPDCCL, Chapra visited the site and found that Voltage is normal and in this regard they had also made report that there is no issue remained for Voltage. They had also taken photographs on the site which shows that Voltage issue had been solved."

It is, thus, submitted by Mr. Karn that the petitioner in view of the position explained, should have no further grievance.

Mr. Yadav, learned counsel appearing for the petitioner, in view of the statement so made in paragraphs 9 and 10 of the counter affidavit prays for disposal of the writ petition reserving the right in the petitioner to approach this Court in the event, the



respondents would default in their undertaking.

With the liberty so prayed, the writ petition is disposed
of.

(Jyoti Saran, J)

Surendra/-

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