

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6273 of 2015

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1. Pawan Kumar Suman. Son of Shri Chhatradhar Yadav. Resident of village +
P.O.- Koshi Patti, P.S.- Pipra, District - Supaul.

.... Petitioner/s

Versus

1. The State Power Holding Company Ltd. through its Chairman, Vidyut Bhawan
Bailey Road, Patna.
2. The North Bihar Power Distribution Ltd. through its Managing Director, Vidyut
Bhawan Bailey Road, Patna.
3. The Chief Managing Director, North Bihar Power Distribution Ltd. Vidyut
Bhawan Bailey Road, Patna.
4. The Managing Director, North Bihar Power Distribution Ltd. Vidyut Bhawan
Bailey Road, Patna.
5. The Chief Engineer, HRD, North Bihar Power Distribution Ltd. Vidyut Bhawan
Bailey Road, Patna.
6. The Electric Superintending Engineer, Circle, Saharsa.
7. The Electrical Executive Engineer, Electric Supply Division, Madhepura.
8. The Electrical Assistant Engineer, Electric Supply Sub-Division, Madhepura.
9. The Electrical Junior Engineer, Electric Supply Sub-Division, Madhepura.
10. Messers Narothhm Kumar Agency through its Proprietor Narottm Kumar. S/o
Shri Raj Kishore Yadav. Resident of village - Itahari, P.O.- Gahumani, P.S.-
Singheshwar, District - Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat, Mr. Upendra Yadav
For the Corporation	:	Mr. A. K. Ojha, Mr. A.K. Karna

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 04-05-2017

Heard the parties.

As per claim of the petitioner, a tender vide Information
No.1 of 2013 was floated for providing the technical trained
skilled manpower for operation and maintenance (fuse call
attend) of distribution and in transformer of minor ailments at



the level of Electric Supply Division under the signature of Deputy General Manager, HRD, North Bihar Power Distribution Company Ltd. (hereinafter referred to as the Company). Petitioner participated, was declared successful bidder and he was employed to provide the technical skilled manpower.

Learned counsel for the petitioner submits that respondent no.10 was not in the panel of selected contractor but through back door with the help of Head Clerk he has obtained the work for supply of technical skilled manpower which is causing prejudice to the petitioner.

Petitioner has made a complaint. The Superintending Engineer has also examined the matter, found that entry of respondent no.10 as supplier contractor is not proper but through the back door respondent no.10 was appointed and even after the order passed by the Superintending Engineer no corrective action has been taken for removing respondent no.10.

In such view of the matter, this Court refers the matter to the General Manager (HR), North Bihar Power Distribution Ltd. who will call upon the records and would examine the allegation made by the petitioner. Claim has been raised that he is only contractor to supply skilled manpower and respondent no.10 was not any way authorized to supply the skilled manpower.



Even the findings have come in favour of the petitioner the General Manager (HR) will also examine as to under whose protection respondent no.10 was allowed to supply the skilled manpower.

For convenience, petitioner is directed to file a detailed representation along with entire records, present order before the General Manager (HR), North Bihar Power Distribution Ltd who will take decision in the matter after giving due notice and hearing to the petitioner and respondent no.10 and take decision within two months from the date of filing of the representation.

With the aforesaid observation and direction this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.5.2017
Transmission Date	NA

