

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.393 of 2019

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M/s Tomar Construction, a registered Partnership firm having its office at Dewapur, P.S. - Barauli, District – Gopalganj – 841405, through its partner namely Vakil Singh, aged about 55 years, son of late Mathura Singh, resident of Dewapur, P.S. Barauli, District Gopalganj-841405.

... .. Petitioner

Versus

1. The Bihar State Power Holding Company Limited, having its registered office at 1st Floor, Vidyut Bhawan, Jawaharlal Nehru Marg, Patna 800001 through its Managing Director.
2. North Bihar Power Distribution Company Limited, having its registered office at Vidyut Bhawan, Jawaharlal Nehru Marg, Patna 800001 through its Managing Director.
3. The Managing Director, North Bihar Power Distribution Company Limited, having its registered office at Vidyut Bhawan, Jawaharlal Nehru Marg, Patna 800001
4. The Electrical Superintending Engineer, Chapra Electrical Circle, Chapra, North Bihar Power Distribution Company Limited, Chapra.
5. The Electrical Executive Engineer, Electrical Division, North Bihar Power Distribution Company Limited, Gopalganj.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate
For the Respondent/s : Mr. Anand Kumar Ojha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 15-11-2019 Heard learned counsel for the petitioner and learned counsel representing the Respondents – Power Company.

On 24.10.2019, when the matter was taken up for consideration, Mr. Ojha, learned counsel representing the Respondent – Power Company submitted that he has



to receive instruction to file counter affidavit. A prayer for short adjournment was made.

Today, an affidavit has been filed on behalf of the Respondents – Power Company though the heading of the affidavit is titled as “Humble petition for extension of time on behalf of the Respondent – Power Company and its officials”, in sum and substance it is the stand of the respondents in this affidavit that they are taking steps to settle the dispute with the petitioner Agency and some time may be granted to settle the dispute with respect to the admitted claim, of the petitioner Agency.

In the aforesaid view of the matter, looking into the stand of the respondent – Power Company, this court is disposing of the Writ Application with a direction to the respondents to act in terms of their own affidavit and while taking steps towards resolution of the dispute, if at all, they come to a conclusion that some amount are admittedly due to the petitioner and are liable to be paid, the same be paid to the petitioner within a reasonable time i.e. within a period of one month from the date of taking



of such decision by the respondent authorities.

In case, the petitioner finds itself aggrieved by the decision of the respondent – Power Company it will be open for the petitioner to raise his grievance before an appropriate Forum/Court.

It is made clear that this court has not gone into the merit of the claim of the petitioner and it will be a totally independent consideration by the respondent – Power Company.

The Writ Application is disposed off accordingly.

Rajeev/-

(Rajeev Ranjan Prasad, J)

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