

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.48 of 2015

In
Civil Writ Jurisdiction Case No.16329 of 2012

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Awadhesh Kumar Singh, son of late Ambika Prasad Singh, resident of New Area, Maharajganj Road, P.O. + P.S.- Aurangabad, District Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Pratya Amrit, the Chairman Bihar State Electricity Board, Vidut Bhawan, Bailey Road, Patna.
 3. B.K.Sinha, Chief Engineer Supply, Bihar State Electricity Board, Bailey Road, Patna.
 4. Rajendra Pandey, Superintending Engineer, Supply, Bihar State Electricity Board, Gaya.
 5. Ram Pravesh Sharma, Executive Engineer Bihar State Electric Supply Division, Karma Road, Aurangabad
 6. Binod Kumar, Assistant Engineer Bihar State Electricity Supply Sub-Division, Aurangabad.
 7. Palka Sahni, Managing Director, South Bihar Power Distribution company Limited Vidut Bhawan, Bailey.
- ... Opposite Party/s
- =====

Appearance :

For the Petitioner/s	:	Mr. Kartik Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Vinay Kirti Singh, Sr. Advocate
		Mr. Vijay Kumar Verma, Advocate
		Mr. Akhileshwar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 24-01-2019 Having regard to the fact that the writ Court on 07.04.2014 has passed the following orders:

In above view of the matter, since the authorities concerned did not respond to the petitioner's representation, in the peculiar facts and circumstances of this case, I would be inclined to dispose of this writ application by granting liberty to the petitioner to approach the respondent no.7 the M.D., South Bihar Power Distribution Company Limited by filing a representation along with a certified copy of this order making out his claim. He would append all the necessary documents showing his ownership over the



plot including the decree of the partition suit etc. In such case the respondent no.7 would be required to take a stand in accordance with law within a period of two months from the date of filing of representation.”

Learned counsel for the petitioner submits that the opposite parties have erroneously decided the direction issued by this Court and imposed cost, which is disputed by the counsel for the Board.

Counsel for the Board submits that it is the only a supervision charge, which was imposed on the petitioner.

Without going into the controversy on the fine/cost of supervision charge, this Court is not inclined to enlarge the scope of contempt jurisdiction, particularly, the in view of the law laid down by the Apex Court in the case of **Union of India and Ors. vs Subedar Devassy**, reported in **(2006) 1 SCC 613**.

However, liberty shall be available to the petitioner to challenge the legality and validity of the decision taken by the Board pursuant to the direction issued by the writ Court in appropriate proceeding.

With the aforesaid, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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