

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16060 of 2013

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Ram Kishor Singh Son Of Sri Nagendra Prasad Singh Resident Of Binda,
P.O.- Binda, P.S.- Musahri, Via- Silout, District- Muzaffarpur

... .. Petitioner/s

Versus

1. Bihar State Electricity Board Through Its Chairman, Vidyut Bhawan, Bailey Road, Patna
2. Member, (Distribution And Rural Electrification), Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
3. General Manager-Cum-Chief Engineer, Muzaffarpur Electric Supply Circle, Muzaffarpur
4. Chief Engineer (Rural Electrification), Vidyut Bhawan, Bailey Road, Patna
5. Electrical Superintending Engineer, Electric Supply Circle, Muzaffarpur
6. Electrical Executive Engineer, Electric Supply Circle, Muzaffarpur
7. Assistant Executive Engineer, Electric Supply Circle, Muzaffarpur
8. Assistant Electrical Engineer, Electric Supply Circle, Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra, Adv.
For the Respondent/s : Mrs.Archana Sinha Shahi, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 02-01-2019 Learned counsel for the petitioner submits that the petitioner is pursuing this writ application for following two reliefs; (i) In terms of Clause 4.6 of the agreement the petitioner has provided new connections to the consumers within his Franchisee area as per the directions of the Electricity Board Officers. For this, he has submitted his bills for the new connections to the extent of Rs.48,500/- for the month of July 2008 to February 2009 which has not been considered and paid so far, and (ii) In terms of the contract the petitioner is also entitled for the incentive on the arrear collected to the tune of



Rs.2,82,779/-.

Learned counsel for the petitioner submits that the claims of the petitioner, as stated in paragraph 12 and 16 of the writ application, have not been denied by the answering respondents in their counter affidavit. It is further pointed out that there is no statement in the counter affidavit showing consideration of those claims of the petitioner.

At this stage, learned counsel representing the North Bihar Power Distribution Company Ltd. submits that the Company would consider the claim of the petitioner and shall take a decision thereon within a reasonable time.

Considering the nature of submissions, this Court would direct the General Manager-cum-Chief Engineer, Muzaffarpur Electric Supply Circle, Muzaffarpur (respondent no.3) to consider the the claims of the petitioner as stated in paragraphs 12 and 16 of the writ application, give an opportunity to the petitioner to represent and pass a reasoned order thereon within a period of 90 days from the date of receipt/production of a copy of this order.

It goes without saying that, upon consideration, if the claim of the petitioner is found due and fit for payment, the same shall be made available to him within a further period of



30 days. In case the claim of the petitioner is not acceptable, the General Manager shall give reasons for rejection of the claim and the petitioner will have a liberty to seek his remedy against the same in accordance with law.

This writ application stands disposed off.

(Rajeev Ranjan Prasad, J)

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