

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10341 of 2020

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Dharmendra Kumar S/o Udit Mahto Resident of Village- Laxmi Narayanpur,
P.O.- Manikpur Pakari, P.S.- Lalganj, District- Vaishali, Proprietor- M/s. D.K.
Construction.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Principal Secretary Energy Department, Government of Bihar, Patna.
3. Bihar State Power Holding Company Ltd. Vidyut Bhawan, Bailey Road, Patna through its Chairman-cum- Managing Director.
4. Chairman-cum- Managing Director B.S.P.H.C. Ltd, Vidyut Bhawan, Bailey Road, Patna.
5. North Bihar Power Distribution Company Ltd. Vidyut Bhawan, Bailey Road, Patna through its Managing Director.
6. Managing Director N.B.P.D.C. Ltd., Vidyut Bhawan, Bailey Road, Patna
7. Suptd. of Police Economic Offence Unit, Patna.
8. Suptd. Engineer Electric Supply Circle, Samastipur.
9. Electrical Executive Engineer Electric Supply Division, Hajipur.
10. Accounts Officer Electric Supply Division, Hajipur.
11. Electrical Assistant Engineer Electric Supply Sub- Division, Lalganj, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shanti Pratap, Advocate
For the Respondent/s : Mr. Kinkar Kumar, S.C. 9

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-11-2021 Petitioner has prayed for the following relief(s):-

“For commanding the respondents
particularly Electrical Executive engineer,
Electric Supply Division, Vaishali to clear dues



amount due to the petitioner at an early date.

Also for a direction to the respondents to pay the following a bill amount due to the petitioner relating to different schemes executed under M.P. Lad-CM Lad under Hajipur Electrical Supply Division as per measurement Book maintained at the office with 18% interest.

Rs. 84,225=00

Rs. 60,098=00

Rs. 90,111=00

Rs. 93,870=00

Rs. 84,225=00

Rs. 84,693=00

Rs. 62,087=00

Rs. 84,693=00

Rs. 60,098=00

Rs.57,519=00

Rs. 41,073=00

Rs. 55,871=00

Rs. 55,871=00

Also for a direction to the respondents for payment of deducted amount in the shape of VAT Plus 3.75% above the Tender rate, to the petitioner, with interest.

Also for holding that the impugned non-payment of the legitimate dues due to the petitioner, is illegal, arbitrary, malafide and without any lawful justification.”

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the



present petition reserving liberty to take recourse to such other remedies as are otherwise permissible and admissible in accordance with law as also represent to the appropriate authority, venting out the grievances, subject-matter of the present petition.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present application is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of six months from the date of its presentation.

While considering such representation, the period for which the petitioner has been pursuing the present petition shall not be counted for the purposes of limitation.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.



Interlocutory application, if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS/-

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