

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.604 of 2021

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M/s Anupam Construction Its office at Village Jhiluiadih, P.O.- Shubhai, P.S.- Hajipur, District- Vaishali, through its Proprietor, Santosh Kumar Mahto @ Santosh Mahto, aged about 35 years, (Male) Son of Devendra Mahto, resident of Village Jhiluiadih, P.O.- Shubhai, P.S.- Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Department of Energy, Government of Bihar, 8 Daroga Rai Path, Patna- 800001.
2. The Secretary Department of Energy, Government of Bihar, 8 Daroga Rai Path, Patna- 800001.
3. North Bihar Power Distribution Company Ltd. Through the Managing Director, Vidyut Bhawan, Bailey Road, Patna- 800001.
4. The Managing Director North Bihar Power Distribution Company Ltd. Vidyut Bhawan, Bailey Road, Patna- 800001.
5. The Electrical Executive Engineer Electric, Supply Division, Hajipur, (Vaishali).
6. The Assistant Electrical Engineer (Supply) Bidupur.
7. The Junior Electrical Engineer (Supply) Raghopur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Avinash Shekhar, Advocate
For the Respondent/s : Mr. Abbas Haider (SC-6)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 10-12-2021 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

The petitioner has filed this application seeking quashing of letter No. 206 dated 25.01.2020 issued by the Electrical Executive Engineer, Electric Supply Division, Hajipur



of North Bihar Power Distribution Company Limited, whereby the petitioner's claim for executing the rehabilitation and maintenance work at thirteen locations for restoration of electricity line in Raghopur Block, has been rejected.

The petitioner further wants this Court, in a proceeding under Article 226 of the Constitution of India, to adjudicate that it is entitled for payment of a sum of Rs. 30,80,663.58/- against the said work, said to have been duly executed.

Evidently, the dispute arises out of a contractual obligation between the two parties. There are admittedly two conflicting reports in respect of petitioner's performance in execution of the work in question.

In such circumstance, this writ petition under Article 226 of the Constitution of India cannot be entertained and is accordingly dismissed. The petitioner shall, however, be at liberty to take appropriate recourse to law for adjudication of his claim.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

Rajesh/-

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