

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11528 of 2021

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Ajay Kumar Singh S/o late Ranjeet Singh R/o Village- Nachap, P.S.- Manjhi,
District- Saran, proprietor of M/S Umesh Engineering Company having its
office at Village and Post Nachap, P.S. Manjhi, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department Energy,
Government of Bihar, Patna.
2. The North Bihar Power Distribution Co. Ltd. through the Managing
Director, Vidyut Bhawan, Patna.
3. The Managing Director, North Bihar Power Distribution Co. Ltd., Vidyut
Bhawan, Patna.
4. The Electrical Superintending Engineer, Electric Supply Circle, Chapra.
5. The Electrical Executive Engineer, Chapra Electric Supply Circle, (Chapra
east), Chapra.
6. The Assistant Electrical Engineer, Chapra Electric Supply Circle, (Chapra
east), Chapra.
7. Junior Electrical Engineer, Chapra Electric Supply Circle, (Chapra east),
Chapra.
8. The Accounts Officer, Chapra Electric Circle, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate
For the Respondent/s : Mr. Lalit Kishore, AG

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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**(The proceedings of the Court are being conducted by
Hon'ble the Chief Justice/ Hon'ble Judges through
Video Conferencing from their residential
offices/residences. Also, the Advocates and the Staffs
joined the proceedings through Video Conferencing
from their residences/offices.)**

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Date : 04-01-2022

Heard learned counsel for the parties.



Petitioner has prayed for the following relief(s):-

- I. That this writ application is being filed for the issuance of Writ of *MADAMUS* commanding the respondent authorities to pay the petitioner entire due amount of bill of Rs. 6,65,938.00 with bank rate of interest on fixed deposit, bills for which has been raised against the works done pursuant to Letter of Award issued from the office of the Electrical Superintending Engineer, Chapra Electrical Circle, vide letter no. 2215 dated 29.08.2013 and agreement no. 08/2013-14 dated 27.09.2013 and the petitioner executed the entire work within time and approved by the Electrical Executive Engineer, Chapra East (respondent no. 5), but till date no payment has been made without any reason much less any reasonable cause.
AND, for issuance of appropriate Order or Orders, Direction or Directions for which the petitioner may be found entitled to.

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.



As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned i.e Respondent No. 5, namely the Electrical Executive Engineer, Chapra Electric Supply Circle (Chapra east), Chapra within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The said authority shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the



appropriate forum, if the need so arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/KC Jha

AFR/NAFR	
CAV DATE	
Uploading Date	08.01.2022
Transmission Date	

