

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11935 of 2021

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Nilesh Kumar S/o Shatrughan Giri Resident of village- Bawanghat Math,
Singhara Buzurg, P.O.- Adalpur, P.S.- Mahua, District- Vaishali, Bihar, Pin-
844126

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Energy Department, Bihar at Patna
2. The Chairman, NBPDC, Patna
3. The Superintendent Electrical Engineer, Samastipur Division
4. The Executive Electrical Engineer, Electric Supply Sub Division, Mahua
5. The Assistant Electrical Engineer, Electric Supply Sub Division, Mahua
6. The Junior Electrical Engineer, Electric Supply Sub Section, Mirzanagar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vasant Vikas, Advocate
For the State	:	Mr. Lalit Kishore (AG)
For the NBPDC	:	Mr. Vinay Kirti Singh, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 18-02-2022 The matter has been heard *via* video conferencing.

Heard learned counsel for the petitioner; State and
North Bihar Power Distribution Company Limited.

The petitioner seeks a direction for quashing Letter
No. 299 dated 15.04.2021 issued by the Assistant Electrical
Engineer, Electric Supply Division, Mahua, Vaishali. According
to the petitioner, he was awarded the work of contract of Rural
Revenue Franchisee Mirzanagar under Electric Supply Section,



Mahua for the post of RRF/Meter Reader under North Bihar Power Distribution Company Limited, Patna. The Rural Revenue Franchisee agreed to execute the said work in accordance with the General Conditions of Rural Revenue Franchise Scheme vide notification No. 1121 dated 15.11.2018. Thereafter, the petitioner was issued a show cause notice vide letter No. 16 dated 01.03.2021 by the Junior Electrical Engineer, Electric Supply Sub-Division Mirzanagar, asking him to submit his explanation within 24 hours, regarding him not being present in Panchayat Gauspur Chakmajahid during the scheduled programme. Lastly on 15.04.2021, the agreement of the petitioner was rescinded vide letter No. 299 dated 15.04.2021 issued by the Assistant Electrical Engineer, Electric Supply Sub-Division, Mahua.

Having considered the arguments raised by learned counsel for the petitioner, it is evident that in the Modified Rural Revenue Franchisee Scheme, 2018 of the Company there is a Clause i.e., Clause 32 which provides for resolution of disputes. The said Clause 32 is reproduced below for ready reference:

“32. RESOLUTION OF DISPUTES:

1) Electrical Executive Engineer, Electric Supply Division of the area shall be Despite Resolution Officer who will resolve the all the disputes of the



Rural Revenue Franchisee, within thirty days after the receipt of the petition of the Rural Revenue Franchisee disputing any issue concerning his operation or service bills.

II) Electrical Superintending Engineer, Electric Supply Circle will be the Appellate Authority who will settle the appeal against any decision delivered by the Electrical Ex. Engineer, Electric Supply Division of the area in the matter of such disputes.”

Having drawn the attention of learned counsel for the petitioner to the aforesaid Clause 32, he submits that he may be allowed to withdraw this petition with liberty to invoke the provision of the said Clause 32 for seeking necessary relief.

In view of above, the petition stands disposed off as withdrawn with liberty aforesaid.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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